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LCP MANUAL

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INTRODUCTION

SECTION A

CONFIDENTIAL

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LCP MANUAL

INTRODUCTION

This manual has been prepared for use of the City Staff, citizens, applicants and other interested persons. It provides, under one cover, the most pertinent increments of the Local Coastal Program of the City of Fort Bragg, together with its permit process. The other portions of the LCP have been omitted in order to provide some semblance of brevity and to assure the workability of the Manual. The Manual includes references to such omissions.

The most important document which has been excluded is the rather lengthy Subdivision Ordinance, Title 17 of the Fort Bragg Municipal Code. Direct reference should be made to that document for complete information. Where appropriate in the Coastal Zone, Coastal Development Permits are required in addition to normal tentative map approval; notice requirements of the LCP shall be followed as outlined herein.

Several chapters of the Zoning Ordinance which refer briefly to the Coastal Zone or LCP have also been omitted for the sake of brevity. In particular, this is the case with the chapters pertaining to the various commercial zones. Chapter 18.29, however, has been included as it contains the most pertinent information regarding specific land uses allowed where the Coastal Zone Combining Zone applies to the individual principal commercial zones. In any case, reference should be made directly to Title 18 of the Municipal Code for the full range and details of the City's zoning provisions.

Section E., Permit Processing, contains a Flow Chart, Checklist and a compilation of other information, including forms, to provide a basic understanding of the method by which development in the Coastal Zone of the City will be reviewed and processed.

The Manual has been developed in a loose leaf form so that it may be kept in a binder and portions readily removed for reference, reproduction or replacement when amendments may occur.

A portion of the City's Coastal Zone was excluded by the Coastal Commission from the certification of the LCP Land Use Plan thereby the State retained permit jurisdiction. This exclusion pertains to an area along the north shore of the Noyo and is designated on the Jurisdiction Map. Also, the State still retains permit jurisdiction/authority over the

portion of Todd Point (west of Highway 1 between the Noyo River and Hare Creek) within the City except for one parcel of land currently occupied by the Cliff House Restaurant. In addition, Coastal Development Permits in a portion of the City's Coastal Zone may be appealed to the State Coastal Commission after completion of the City's appeal process, as well as certain other limited circumstances. Generally this area of Appeal Jurisdiction is west of the first through road; this is Highway 1 (Main Street) except where Elm, Stewart and Pine become a "through road," and therefore the boundary, at the northerly end of the City. The area of appealable development is also designated on the "Jurisdiction Map."

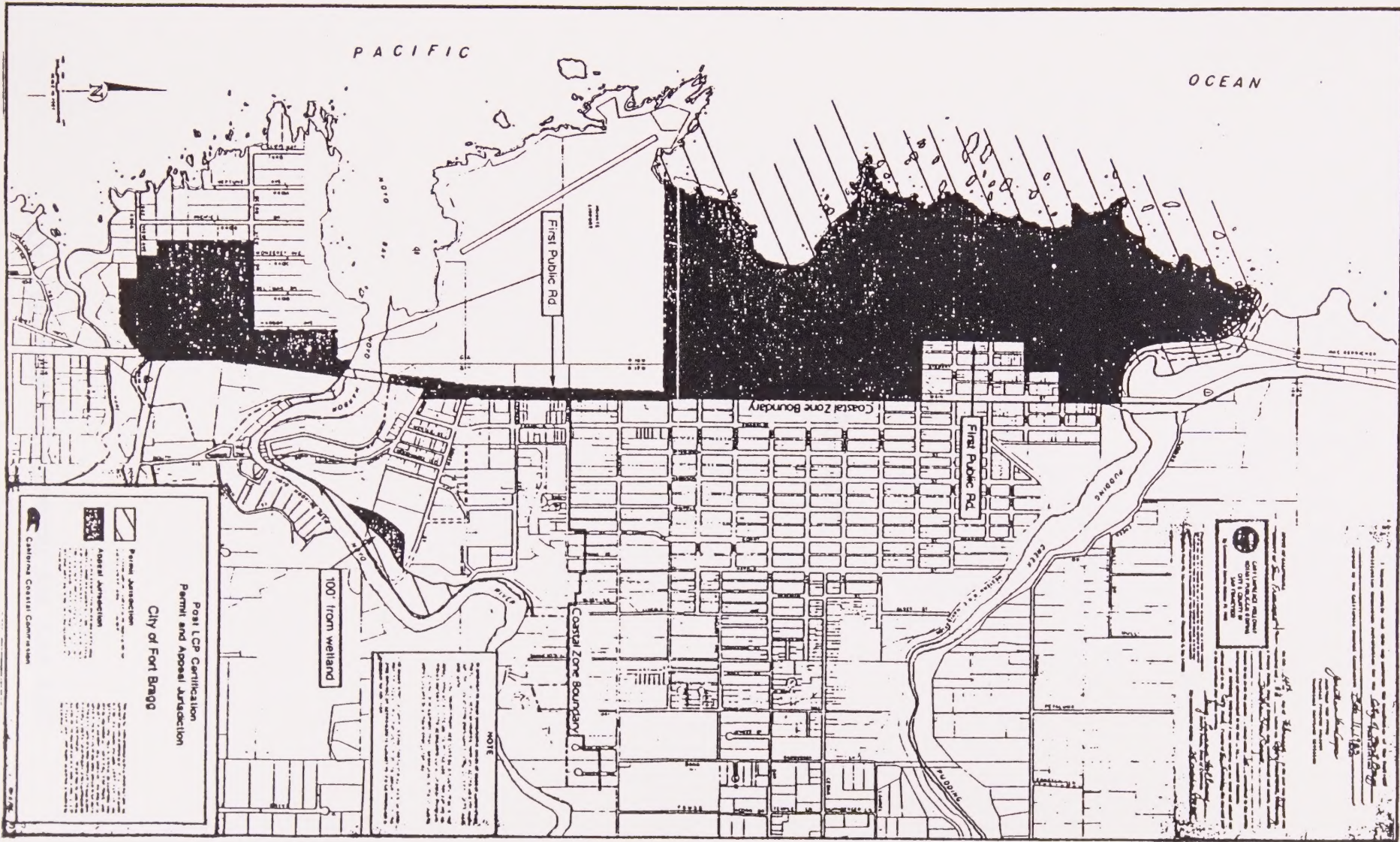
The administration of the City's Local Coastal Program is basically the responsibility of the Planning Director. Therefore, any questions should be referred to that person. The Coastal Commission's Executive Director may rule on, or arbitrate, certain questions as provided in the LCP.

JURISDICTIONAL MAP

SECTION B

REFER TO LARGE SCALE MAP IN CITY OF FORT BRAGG
PLANNING DEPARTMENT FOR MORE CLARITY AND DETAIL

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LAND USE PLAN

SECTION C

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LCP

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II. INTRODUCTION

A. Coastal Law and Planning Background

After the people of the State of California enacted, by initiative, the 1972 Coastal Zone Conservation Act, the State Coastal Commission and six regional commissions worked to produce the California Coastal Plan in 1975. While that plan did set out generalized land use recommendations, its primary focus was the recommendation to the legislature of a policy and methodological framework for the preparation of the "Local Coastal Programs," using a collaborative approach to planning and involving both State and local governments. That plan resulted in the California Legislature enacting the California Coastal Act of 1976. Under that Act, State goals and policies for resource protection and development in the Coastal Zone were set out as well as a six-step process for its implementation through Local Coastal Programs (LCPs). In brief, those steps are:

1. The identification of issues to be covered by each LCP.
2. The preparation of a work program for the development of the LCP land use plan.
3. The preparation and adoption of the land use plan for each jurisdiction.
4. The preparation of a work program for the development of implementation recommendations (such as zoning designations and ordinance revisions).
5. The development of the implementation program itself, based on the land use plan.
6. The implementation of the LCP, which is to be carried out by local governments, with limited review and appeal authority vested in the State Coastal Commission.

B. Fort Bragg's LCP

The City of Fort Bragg requested that the Coastal Commission prepare its Local Coastal Program. The Commission contracted with the planning consulting firm of Moore Research to gather the needed data and assist Commission staff prepare draft documents for steps two, three and four, above.

Simultaneously with preparation of this plan, the County of Mendocino has been preparing a Local Coastal Program. Efforts have been made to assure that this plan, which covers only those portions of Fort Bragg within the coastal zone, interfaces smoothly with the planning affecting adjacent County coastal lands.

The work program for the land use plan study was prepared, discussed in public meetings, and adopted by the City Planning Commission, City Council and Regional and State Coastal Commissions. A "Concept/Sketch Plan"

focusing on access and the natural environment was also prepared and discussed at public meetings. Before final adoption, the Land Use Plan was subjected to public meetings, review, modifications and adopted by the City Planning Commission and City Council. The State Coastal Commission has final approval authority as provided by state law.

The LCP will eventually become a part of the City's General Plan, and thus, must be consistent with it. Any policy conflicts between the General Plan and the LCP must be resolved in the LCP because for those parts of the City in the Coastal Zone, the LCP will supersede the General Plan in any matters where they may differ.

The LCP is not organized around the traditional General Plan elements (e.g., Land Use, Circulation, Open Space), but rather, it follows a structure set out in the State's Local Coastal Program Manual, based on "policy groups" drawn from the California Coastal Act. (Unless otherwise noted, reference in this plan to "Section _____" are to the Coastal Act.) The plan contains fourteen policy group chapters and a final chapter giving a summary explanation of the use of accompanying maps, setting out the land use classification system, and describing a special review system for developments in sensitive coastal areas.

The Local Coastal Program is not a strictly local effort. It is mandated, funded, and shaped, to some extent, by state law, regulation, policy, review and approval, although the applicable state law is applied in light of local circumstances. It must be approved by both local and state governments. Because of the major role of state policy in the Local Coastal Program, this plan includes fairly complete explanations, appearing in each policy group, of applicable state legislation.

After the City has formally adopted a land use plan, it will be presented first to the Regional Commission and then to the State Commissions for review and comment.

Concurrently with the review of this document, the Implementation Phase Work Program (step four above) is being prepared and reviewed. After its adoption, work can begin on the implementation program (step five above). After both the land use plan and implementation program are approved by the City and certified by the State Commission as being consistent with the Coastal Act, the City will assume primary permit jurisdiction within its part of the Coastal Zone.

C. After Certification of the City's LCP

After certification, the Commission will continue to have primary permit authority over a limited number of developments. They are:

- ...development proposed or undertaken on any tidelands, submerged lands, or on public trust lands, whether filled or unfilled, lying within the coastal zone...(and over) development proposed or undertaken within (certain) ports...or within any state university or college within the coastal zone...(except) any development proposed or undertaken by a port or harbor district or authority on lands or waters granted by the legislature to a

local government whose certified local coastal program includes the specific development plans for such district or authority...(Section 30519).

Certain very limited categories of urban land (Section 30610.5) and development (Section 30610) may be excluded from the coastal development permit requirement. Once the LCP is certified, it will be possible to evaluate just what, if any, areas or types of development in Fort Bragg could be excluded without compromising the LCP or Coastal Act policies.

After certification, the Commission will monitor local government implementation of the LCP, and report its evaluations to the local government and to the Legislature (Section 30519.5). The Commission may regain overall permit authority if the LCP is "prohibited or stayed by any court" (Section 30520). The main continuing participation on the Commission in development control will be its appeal role.

Under Section 30603 of the Act, appeal to the Commission from actions by local government on coastal development permits will be available only for the following five categories of actions:

1. Approved developments..."between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or the mean high tide line of the sea where there is no beach whichever is the greater distance," but then still only on one or more of the following grounds:
 - a. "The development fails to provide adequate public access or public or private commercial use or interferes with such uses."
 - b. "The development fails to protect public views from any public road or from a recreational area to, and along, the coast."
 - c. "The development is not compatible with the established physical scale of the area."
 - d. "The development may significantly alter existing natural land forms," or
 - e. "The development does not comply with shoreline erosion and geologic setback requirements."
2. Approved developments on the landward side of the first public road and more than 300 feet from the beach or sea, which are "located on tidelands, submerged lands, public trust lands, within 300 feet of the top of the seaward face of any coastal bluff."
3. Approved developments on the landward side of the first public road and more than 300 feet from the beach or sea, which are not on tidelands, submerged lands, public trust lands, or within 300 feet of the top of the seaward face of any coastal bluff, but which are located in a sensitive coastal resource area, if the allegation on appeal is that the development is not in conformity with the implementing actions of the certified local coastal program.

4. "Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved..." as part of the LCP, or
5. "Any development which constitutes a major public works project or a major energy facility."

D. Future Resource Enhancement and Restoration

This LCP represents the commitment of Fort Bragg to assist in providing protection and enhancement of its coastal resources. It is recognized that certain resource areas in this jurisdiction will require further public attention to ensure such protection and enhancement including state or other public acquisition if necessary. Included in this concern are:

1. Degraded or less than pristine wetlands of any size, and,
2. Areas which are appropriate for well designed visitor commercial and recreation facilities.

Policy II-1: Land Use Plan policies calling for future studies, initiation of new programs, or acquisition of land or easement, will be implemented as staff and funding become available.

E. North Highway 1 Annexation (Pudding Creek Area)

(1/86)

Several large areas have been annexed to the City along the northern boundary of the City and Highway 1 (Figure 1, Area A). The mouth of Pudding Creek and the adjacent beach areas have been annexed to the City. This includes a portion of Pudding Creek, the Pudding Creek beach area and some of the adjacent bluffs located immediately adjacent to MacKerricher State Park.

This beach area is popular for use by local citizens and a "Coastal Access" sign has been placed along Highway 1 near Pudding Creek. A small dirt access road exists on the west side of Highway 1 where limited parking is available and the local relief of the land allows easy access to the beach.

A sandy beach exists near the ocean/river junction. However, coastal headlands rise above the beach to the north and south. Rocky intertidal areas are located at the base of the bluffs. The bluffs rise above the ocean to a plateau area which is vegetated with both native and introduced vegetation, except where paths have been created by visitors accessing the beach. Vegetation in the area includes Castilleja latifolia mendocinensis (Mendocino Coast Paint Brush), and Chorizanthe howellii (Howell Chorizanthe). These plants are not included on State or Federal listings of rare and endangered plant species but they are under investigation by the state for inclusion and are identified by the California Native Plant Society as being of limited occurrence, partially endangered or declining in population. Erysimum menziesii (Menzie's Wallflower) also is indigenous to the area and this plant is included on the State's list of endangered species.

The bluff and headlands are a valuable habitat for plants and animals. The area includes regions of coastal prairie in which introduced annual grasses predominate and areas of coastal strand where sand from beaches has been

deposited on the bluffs. These bluffs are susceptible to trampling and erosional impacts created by public use.

State agencies have been assuming responsibility for the maintenance and enforcement in the Pudding Creek area, with the California Department of Parks and Recreation taking primary responsibility for the area and the Department of Transportation (Caltrans) to a lesser extent.

A portion of land on the south side of Highway 1, north of Pudding Creek, also was included by the City in a recent annexation. This area contains several motels and lodges, industrial uses, e.g., Baxman Gravel Company and Eastman Transportation Company, scattered single family dwellings and vacant parcels. There currently are no water or sewer connections to service this portion of the City.

F. Noyo Point Annexation Area

(1/86)

Land has been annexed by the City near the mouth of the Noyo River and within the Noyo Bay area (see Figure 1, Area B). A large portion of this land, located west of Highway 1 and north of the Noyo River, is owned by Georgia-Pacific (GP), the largest company in the Fort Bragg area. GP owns and operates a large logging facility within the City of Fort Bragg, employing about 800 personnel. The area recently annexed to the City contains the log storage yard, a private airport and a tree nursery, all of which are owned by GP. Associated with the tree nursery is a visitor center and nature trail through a small, man-made forest.

The GP facility is located on the flat, coastal bluffs. However, the coastal headlands towards the west of the private airport consist of very steep cliffs and relatively pristine rocky intertidal areas. Little vegetation exists on the bluffs due to the intense use of the site by GP. However, the California Department of Fish and Game report that Castilleja latifolia ssp. mendocinensis, Thacelia insularis var. continentis and Campanula californica may occur in this area. Historical records indicate that burial grounds are located at the north end of the air strip. The exact location of the burial grounds is uncertain because there are no markers, headstones, etc.

Several scattered single family dwellings, belonging to a Native American Indian community, are located on the northern banks of the Noyo River, just south of the GP facility. An Indian burial ground is located at the edge of the bluffs near these dwellings. Also, a restaurant is located east of these dwellings on Highway 1.

The northern bank of the Noyo River is a major recreational facility in the Fort Bragg area. Access to the beach is via North Harbor Drive which becomes a dirt road. Access to the beach and jetty areas is via this dirt road. The California Coastal Conservancy is proposing to improve and enhance this popular recreational facility by providing the following facilities: (1) more than 50 parking spaces, including handicapped parking; (2) two bathroom facilities; (3) trash dumpsters; (4) a 600' long walkway from the parking area to the beach and jetty; (5) drainage improvements to the area; and (6) directional signs along North Harbor Drive to indicate the location of these facilities. This area is immediately adjacent to Noyo Harbor, a small harbor used primarily by commercial fishing and, to a lesser extent, recreational vessels.

A dredge spoils disposal site also is located in the Noyo Harbor area immediately east of the jetty. Spoils from maintenance dredging of the Noyo Harbor area are placed at this disposal site. The harbor area is dredged about once every three years.

G. Todd Point Annexation Area

(1/86)

An additional 18 acres of the coastal headland, in the Todd Point area south of Noyo Bay, west of Highway 1, also have been annexed to the City. The area along Highway 1 contains a trailer park, car dealer and a small commercial office building. The area immediately south of Noyo Bay consists of open space with several scattered dwellings near the trailer park. Access to this area is via Ocean View Drive and Cliff Way, which dead-ends into a dirt road that provides access to the bluffs. The site is popular for viewing the ocean and has a panoramic view of the Noyo Bay area. Access to the beach is constrained by steep, rocky cliffs. These bluffs have been subject to erosion due to public use, trampling of vegetation and the creation of dirt roads by vehicles. The 18-acre parcel on Todd Point, immediately south of the Noyo Harbor, may be unsuitable for development due to the City's blufftop setback requirements, erosion problems, aesthetic considerations and potential prescriptive rights. The Land Use Plan shows a trail on this site where fine views would be possible. The trail would link Todd Point (specifically Chicken Point) with South Harbor Drive passing under Noyo Bridge.

A 40-acre parcel has been annexed on the southwest corner of Highway 1 and Ocean View Drive. This parcel currently is vacant. School facilities have been proposed on 10 acres of this parcel. The rest of this parcel has been zoned for condominiums and highway visitor commercial uses, e.g., a shopping center.

H. Highway 20 Annexation

(01/86)

Two small parcels located immediately adjacent to each other have been annexed into the City along Highway 20 just east of the Highway 1 junction (see Figure 1, Area C). These parcels, roughly 500' long by about 300' wide, currently look like a turnout from Highway 20 and consist of a dirt-covered open space area, overlooking Hare Creek.

I. Infrastructure Issues

(01/86)

The City owns and operates its own sewage treatment plant which is surrounded by the Georgia-Pacific facilities west of Highway 1 near the recently annexed GP property. The capacity of the treatment plant is 1 million gallons per day (gpd). The current level of use is about 450,000 gpd, so additional capacity is available for expansion.

The City currently is preparing a Water System Master Plan Study for potable water. The City must filter its water supply since it comes from the Noyo River. During high use periods in the summer, sufficient potable water cannot be produced due to the constraints of water filtration. The State Health Department requires that all water for domestic purposes removed from local rivers be filtered because of the presumed presence of a parasite. Expansion of the water system may lead to a reduction in water pressure. The Master Plan Study will address the engineering aspects of increasing the capacity of the potable water system. Sufficient water is available to the Fort Bragg area via the Noyo River.

Traffic on Highway 1 generally is moderate and sufficient capacity exists to handle peak hour local traffic. However, traffic flow can be problematic during periods of heavy tourist and recreational traffic, e.g., the summer. Peak hour traffic volumes range from about 1,300 to 2,000 vehicles along Highway 1 within the Fort Bragg city limits. The main bottleneck occurs near the Highway 1/20 junction and continues to just north of the Noyo Bridge. A project, proposed by Caltrans and the City of Fort Bragg to improve traffic flow in this area, would include: (1) signalization of the Highway 1/20 intersection and the Highway 1/Ocean View Drive intersection; and (2) addition of another lane along Highway 1. This project is in the planning stage and no funds have been committed at this time. Traffic tends to flow better through the main part of town due to the signalization at intersections. However, Highway 1 is one-lane in each direction through many portions of town which places a constraint on traffic flow. Several years ago, the City and Caltrans investigated the feasibility of widening Highway 1 through the center of town, however, the project was abandoned at the request of the City.

The City has requested realignments to portions of Highway 1 between the Noyo Bridge and Manzanita Street. Signalization of intersections, e.g., Cypress Street, and storm drain improvements are being examined. Also, the feasibility of eliminating left turns from North Harbor Drive onto Highway 1 is being investigated. Caltrans is proposing funds for this project in their 1987 budget. Accomplishment of these improvements is dependent upon inclusion of the project in the State Transportation Improvement Program. To date, Caltrans has been unsuccessful in this effort due to the low priority of this project and because Mendocino County is considered a "surplus" or overfunded County by Caltrans.

Another alternative to help alleviate traffic would be the acquisition of a roadway on the west side of Highway 1 north of the Noyo Bridge to the beach area. This access road could be connected to a westerly extension of North Harbor Drive. These alternatives, as well as others, should be reviewed and analyzed to help alleviate congestion on Highway 1.

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III. SHORELINE ACCESS

A. Legal and Policy Framework

Four main state laws relate to shoreline access in California: the State Constitution, the Subdivision Map Act, the Coastal Act, and the State Coastal Conservancy Act. The passage of Proposition 20 in 1972 by the people of the State, and the enactment of the Coastal Act in 1976, strengthened and clarified shoreline access requirements that had existed in the State Constitution for decades.

Article X, Section 4, of the Constitution provides:

No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right-of-way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people thereof.

The same article also declares the right of eminent domain to exist to frontages on navigable waters, and reserves the right of ownership of some tidelands exclusively for public governmental bodies and Article I, Section 25 reserves the right to fish from nearly all public lands of the State in perpetuity, even after those lands may be sold to private parties.

The following Coastal Act policies address shoreline access:

The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:

- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners. (Section 30001.5)

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. (Section 30210)

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. (Section 30211)

...Public access from the nearest public roadway to the shoreline and

along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exist nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway...(Section 30212) (The section defines new development to exclude certain projects in certain circumstances (e.g., minor improvements to single family dwellings, etc.).)

...Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that such development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200)...(Section 30604).

...Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code (the Subdivision Map Act) and by Section 4 of Article X of the California Constitution (set out above)...(Section 30212).

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area. (Section 30212.5)

Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code. (Section 30213)

Criteria for siting access, other than those already noted, are set out in Section 30214, as follows:

- (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:
 - (1) Topographic and geologic site characteristics.
 - (2) The capacity of the site to sustain use and at what level of intensity.
 - (3) The appropriateness of limiting public access to the right to

pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

- (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.
- (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.
- (c) In carrying out the public access policies of this article, the commission, regional commission, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs. (Added by Stats. 1979, Ch. 919.)

Section 30610.3 establishes a mechanism whereby coastal access requirements may be met in existing subdivisions with fewer than 75 percent of the lots built upon. The process involves the State Coastal Conservancy in pooling "in-lieu fees" to acquire land and view corridors to be used for public access.

The Subdivision Map Act (Government Code Section 66410 et seq.) sets out the procedures and policies which must be used by local governments to review and approve any division of a parcel of real property into five or more parcels. When such a subdivision includes or is adjacent to a body of water, waterway, or coastal shoreline, Sections 66578.1 through 66478.14 of the Subdivision Map Act require that "reasonable public access" be provided for in the subdivision or nearby. Such access must be provided from a public highway to the water, as well as along a portion of the bank. "Reasonable" is to be determined by the local government using criteria set out in the Act. Industrial subdivisions are excluded. The access must be provided by dedicating, or offering to dedicate in the future, a fee interest or easement to the public agency.

B. Definitions and Standards

1. Pedestrian Access (Pass and Repass)

This type of access is limited to walking or running, to or along the shoreline, bluff top or other coastal or riparian area.

2. Passive Recreation or Use

Passive uses are those activities normally associated with beach use (e.g., walking, swimming, jogging, sunbathing, fishing, surfing). This does not include organized sports activities, campfires, or vehicular passage for other than emergency or maintenance purposes.

3. Active Recreation or Use

Active uses include the full range of beach oriented activities.

4. Vertical Access

A vertical accessway is an area of land between the first public road, trail, or use area nearest the sea and the publicly owned tidelands or established lateral accessway -- it provides access to the shoreline. Such accessways should normally be about ten feet wide and should be located as shown on the "Coastal Environment" Map or elsewhere as set out in this report.

5. Lateral Access -- Shoreline Access

Lateral access provides for public access and use along the shoreline. The normal lateral access requirements in new developments is a 25-foot wide accessway along the dry sandy beach for passive recreational use. The accessway would then include the area landward from the property line (the mean high tide line) to a line the specified distance landward from the daily high water line. In lieu of this approach, a specific fixed line may be described, or geographic features may be used (e.g. to the toe of the bluff).

6. Lateral Access -- Bluff Access

Where no beach area exists and a project is proposed along a shorefront bluff top lot, public access for public viewing of the shoreline rather than for access along the shoreline may be required. The bluff top view area should be described as an area beginning at the current bluff edge extending approximately 25 feet inland (the width of the access way may be increased to provide for areas where heavy public use is anticipated or where use in addition to pedestrian access is proposed). Because of the potential for erosion of the bluff edge, the easement shall be allowed to be adjusted inland to the current bluff edge as the edge recedes. However, the easement should not extend any closer than ten feet from an occupied residential structure to assure an adequate privacy buffer for the residents.... The use of blufftop access ways should be limited to pedestrian access and coastal viewing purposes.

7. Prescriptive Rights

If the public has used an accessway for at least five years without receiving permission from the owner, but with the owner having knowledge of that access and without the owner attempting to prevent the access, courts have found that the public acquires what is in effect an easement, allowing the public to continue to use the

accessway indefinitely, even if the owner later attempts to prevent it. Such rights may well exist to most or all of the access points shown on the Coastal Environment Map, and, in many cases, provide the basis for the access recommendations made in this document.

The following sections of this report describe existing conditions and proposals concerning access area-wide and to the City's coastline and the two adjacent rivers.

C. Area-Wide Coastal Access

The Mendocino County Local Coastal Program Hearing Draft Coastal Element (dated August 1980), lists 95 specific existing or proposed access points along the County's shoreline. Immediately north of the City, Mackerricher State Park provides coastal access at numerous points along its eight mile length. The southern most extent of the park ends on the north bank of Pudding Creek, where public access to the beach is provided directly off Highway One via an unimproved, unsigned parking area. In addition, Georgia-Pacific opens its private logging road to public use one-half mile north of Pudding Creek on weekends and holidays. The County LCP recommends improvements to both these access points.

Just south of the City a 600 foot beach is available for public use on the north bank of the harbor entrance. It is under private ownership; however, public prescriptive access rights may exist and the County LCP recommends acquisition. The City's General Plan also recognizes this area as providing a future park site and access to the ocean. Additional public access exists, and is proposed for expansion or improvement at Noyo Harbor; Todd's Point, Hare Creek and other points along the coast south of Fort Bragg.

D. City-Wide Access

Public access to coastal areas within the City of Fort Bragg is and has been historically very limited. Several factors have created this situation. Key among these are the early location of the lumber mill (now owned by Georgia-Pacific Corporation) along virtually the entire City coastline and the incompatibility of such a heavy industrial use with public recreational uses. In addition, the City's historic role as provider of intensive commercial, industrial, professional, residential and other urban opportunities for a basically rural area, coupled with the high availability of nearby coastal open space and recreational opportunities have limited the need for coastal access within the City. The relatively rugged bluffs and the narrowness of the City's few beaches have also been limiting factors.

Still, there could be reasons for improving public access to the City's coastline. One such reason is the desirability of providing coastal access in conjunction with and in support of visitor-serving facilities (motels, restaurants, etc.) that are an important part of the City's economy. Another reason is the need for maximizing coastal accessibility for all the State's people, as is mandated by the law set out above. To accomplish these goals, the specific access points identified below should be opened

to the public and convenient and safe pedestrian paths from nearby motels and visitor attractions (such as the Skunk Train Depot) to Glass Beach, Pudding Creek Beach, and to Noyo Harbor River, should be established and marked with attractive, discreet signs, if funding can be found to maintain these accessways and/or parking facilities.

E. Pudding Creek to Glass Beach

This area now receives the heaviest public use along the City's shoreline by virtue of vertical access from Highway One on the north side of Pudding Creek and again at Glass Beach (via the extension of Elm Street). Public prescriptive access rights have probably been established from Elm Street to Glass Beach. Typically, during the summer, each of these two vertical access areas will host six to ten visitor parties at a time.

Since the mouth of Pudding Creek is closed by a sand bar for most of the summer, pedestrian lateral access is possible from the State Park along the beaches north of Glass Beach at low tide. This stretch of beaches between the two access points, while not wide or accommodating by comparison to public beaches in other parts of the State, is sufficient during some tidal conditions to allow relatively safe passage from Pudding Creek to Glass Beach. Historical public usage of this area may well have established public prescriptive rights to access. Glass Beach and adjacent areas were once used by the City as a garbage dump. Title there may be vested in the City, although clear fee title has not been established. The General Plan designates the area as a regional park; this designation should be carried over to the Land Use Plan.

Behind the narrow coastal beaches and along the south bank of Pudding Creek, fairly steep bluffs rise 20 to 40 feet. Access onto the top of these bluffs is somewhat limited by the bluffs themselves, by the scarcity of trails leading into the area, and, probably, by the fact that the bluff tops are privately owned. Even so, the level of public use may well have established prescriptive access rights along those bluff tops.

Parking and signing improvements at Pudding Creek are proposed as part of the draft County Land Use Plan. Parking for access to Glass Beach is provided on Georgia-Pacific property and is marginally adequate to serve the existing usage level. As usage expands, acquisition by a public agency or private association and/or improvement of an expanded and improved parking area will be necessary. When those improvements are made, directional signs should be used to notify more visitors of the location of the beach. At the beach itself, minor improvements would be appropriate and are proposed by the California State Park and Recreation Commission. They include benches, picnic tables, waste receptacles and some directional signs and clearing of debris.

Care should be taken that visitor use of the bluff top area is not over expanded. Heavy public use on the bluffs themselves could lead to further removal of bluff vegetation and exacerbate a presently minor erosion problem. While blufftop access is being proposed from Glass Beach to and along Pudding Creek, directional signs and trails should encourage beach use more than bluff use.

In summary, proposals for this area include improved access at Glass Beach, permanent lateral access along the beaches and on top of the bluffs north to Pudding Creek, and improved vertical access at Pudding Creek beach (proposed in the draft County Land Use Plan) and next to the Pudding Creek/Highway One bridge.

F. Glass Beach South to the City Sewage Treatment Plant

This area presently supports very limited public access. A few people go south from Glass Beach along the bluff faces and beaches to the more rugged beaches and rocky intertidal areas. While the area has attractive beaches, tide pools, and nesting grounds, all in a relatively pristine state, access from one beach to the next along the rugged bluff faces is both dangerous and damaging to the habitats. Thus, either vertical or lateral access in these areas would have to be provided on top of the bluffs, in what is now Georgia-Pacific's lumber storage and working areas. This would call for extensive fencing and security measures in order to avoid serious threats to public safety and private property. Access to the coastline at the Sewage Treatment Plant should not be permitted.

This area presents an opportunity to preserve relatively pristine, sensitive and biologically rich sections of coastline. To do so would avoid at best costly and at worst ineffective measures to protect public safety and private property. Given these considerations and the nearby presence of other locations where demand for coastal access can probably be met better, access in this area should be limited to controlled scientific and educational uses. However, if use of the mill land were to change substantially on the bluff top area, the possibility of access corridors should be reevaluated in light of these changes as well as the biological and safety considerations discussed above.

G. Noyo Bridge Area

At both ends of the Noyo bridge there are some limited opportunities for pedestrians to walk down to the harbor and the mouth of the river. On the north end of the bridge, on the east side are small paths leading down to the extension of North Harbor Drive. On the south end of the bridge, also on the east side, is a partially overgrown dirt road which may now have some minimal use for access.

Bridges have always played a major role in providing access to the State's waterways. In most cases, close to the bridge is a clearly public right-of-way going right to the water. If traffic, parking and pedestrian safety problems can be resolved, a bridge's invitation to access should be exploited.

The access on the south bluff of the harbor entrance should also be maintained and improved by a public agency or private association. It leads down to a very small area with a spectacular close-up view of fishing boats entering the harbor. This access has especially good potential for serving persons using visitor facilities near the Highways 1 and 20 intersection. Minimal improvements and signing are called for.

H. North Bank of the Noyo River

This area extends along the river from a point just east of where North Harbor Drive enters the harbor flats, then northeasterly to where a line extended from Lincoln Avenue would cross the Noyo River. The area does not now receive heavy public use; however, it has historically been open for access, and prescriptive rights may exist there.

North Harbor Drive, South Street and Cypress Avenue could all easily provide access to this strip of river bank. If additional development occurs between South Street and North Harbor Drive, an additional access point could probably be provided because of the cluster or planned unit development type of land use proposed for the area. Whether such access should be required should be determined in light of the design of specific developments proposed for that area as well as on the design of the proposed adjacent wetland restoration project.

Lateral access should be provided along the entire length of the area. The City's General Plan calls for a pathway system along the banks of the river. If a wetlands restoration project can be accomplished either independently or as part of a coastal dependent industrial project on the parcel between South Street and Cypress Avenue, public lateral access should be facilitated as part of that project, if it can be made compatible with wildlife values. It is only after such developments occur that increased access to this area should be encouraged.

I. Access Policies

Policy III-1: Access Standards and Review. Shoreline access shall be required in the City's coastal zone, as specified in the following policies. The definitions and standards in Section B of this Chapter shall guide the development of public access. Only one vertical access way need be provided in any one designated location as shown on the Coastal Environment Map.

Policy III-2: Vertical Access at the Pudding Creek Sand Bar. The City shall monitor actions by the State Department of Parks and Recreation affecting MacKerricher State Park and by Caltrans and shall encourage those agencies to consider the impacts of their plans for areas outside the City's Coastal Zone on access across the Pudding Creek sand bar. Those agencies should be encouraged to increase access there.

Policy III-3: Beach Access from Pudding Creek to Glass Beach. Lateral access along the beaches from Pudding Creek to Glass Beach shall be required as a condition of permit approval.

Policy III-4: Bluff Access on the South Bluff of the Mouth of Pudding Creek. Bluff top access as mapped shall be required as a condition of permit approval from the logging road westerly to the point above the mouth of the river, and then southwesterly to Glass Beach. Other LUP policies regarding special vegetation, notably Policy IX.6, will apply to the development of bluff access in this area.

Policy III-5: Priority to Beach Rather than Bluff Access North of Glass

Beach. In the design and development of access ways, as well as the content and placement of directional signs, public use of the beaches rather than the bluffs shall be given priority. This policy applies to bluffs north of Glass Beach to the mouth of Pudding Creek and then easterly to the logging bridge.

Policy III-6: Vertical Access to Glass Beach. A vertical access easement along Elm Street to Glass Beach shall be required as a permit condition. Funding shall be sought by a public agency or private association for additional parking at the end of Elm Street and for directional signs at the site and on Highway 1. Directional signs that may tend to increase utilization at the site shall be provided only after additional parking is also provided.

Policy III-7: Glass Beach. Beach and bluff lateral access to the area as designated on the Coastal Land Use Map shall be required as a permit condition.

Policy III-8: Coastal Access from Glass Beach South. Access south of Glass Beach to the City Limits shall be limited to educational and scientific uses.

Policy III-9: Vertical Access, South Side of Noyo Bridge. Vertical access shall be required as mapped as a condition of permit approval. Minor signing and path improvements shall be accomplished by a public agency or private association.

Policy III-10: Lateral Access, South Side of Noyo Bridge. Lateral access along that part of the south bank of the Noyo River within the City Limits shall be acquired. This accessway shall eventually be connected to the trail system leading from the southern bluff of the Noyo headlands to South Harbor Drive, as proposed in the Mendocino County Draft Coastal Element.

Policy III-11: Vertical Access from North Harbor Drive. One vertical access from the bottom of North Harbor Drive to the proposed lateral access along the north bank of the Noyo River shall be required as a condition of permit approval.

Policy III-12: Access Along the North Bank of the Noyo. Lateral access along the entire length of the City's frontage on the north bank of the Noyo River shall be required as a condition of permit approval, except where physical conditions make access unfeasible due to topography or safety considerations.

Policy III-13: Vertical Access at South Street. One vertical accessway from the end of South Street to the north bank of the Noyo River shall be required as a condition of permit approval. This accessway may be in conjunction with any street required for access to development. If the area is developed, then public parking may be provided by a public agency or private association.

Policy III-14: Vertical Access at Cypress Avenue. One vertical accessway from the end of Cypress Avenue to the north bank of the Noyo River shall be required as a condition of permit approval. This accessway may be in

conjunction with any street required for access to development. If the area is developed, then public parking may be provided by a public agency or private association.

Policy III-15: Prescriptive Rights. The City will protect the public's constitutionally guaranteed rights of access to and along the shoreline by ensuring that new development will not interfere with the public's right of access where acquired through use.

Policy III-16/XV-4: Marking Pedestrian Routes to Public Access Points. At appropriate places in the downtown area and especially at major visitor destinations (e.g. motels, the Skunk Train Depot, etc.) convenient pedestrian routes leading to coastal and river access points should be marked. The City may seek non-local funding for this program.

Policy III-17 Rights for access and passive or active recreation or use shall be required as a condition of approval or through acquisition by a public or private organization for the north shore of the Noyo Bay, west of the Bridge, labelled "Open Space" on the Land Use Map (see Figure 1). (1/86)

Policy III-18 The City shall work with the California Coastal Conservancy to assure that the proposed access improvements and public facilities are provided on the north bank of the Noyo River. Development other than improving access to the coast and providing visitor serving recreational facilities shall be prohibited within the newly annexed area along the northern bank of the Noyo River labelled "Open Space."

A roadway shall be acquired to provide access to the proposed Noyo Point recreational area. This access shall be connected to a westerly extension of North Harbor Drive and provide vehicle access to the Noyo Beach area (Figure 1). (1/86)

Policy III-19 The City shall work with the State agencies, e.g., the Department of Parks and Recreation, the California Coastal Conservancy, Caltrans, etc., to improve access and enhance public facilities at Pudding Creek. Development other than improving access to the coast and providing passive, visitor-serving recreational facilities shall be prohibited within the area labelled "Open Space" at the mouth of Pudding Creek. (1/86)

Policy III-20 The City shall work with the appropriate State agencies to preserve and improve the existing accessway near Airport Road. No major parking or recreational facilities shall be required in this area due to the fragile nature of the coastal bluffs. (1/86)

Policy III-21 The feasibility of an additional vertical access between Highway 1 and the State Park shall be determined. Access can be required as a condition of permit approval. The most feasible location would be the parcel labelled "Open Space" along Highway 1 north of the Pudding Creek River. No major parking facilities, restrooms, etc., shall be required. Rather, a hiking/biking, fenced walkway shall be required to prevent trampling of bluff vegetation. This access point shall be eliminated if it is demonstrated to be geologically or biologically infeasible or damaging to the sensitive coastal bluff area. (1/86)

Policy III-22 The City shall recognize that prescriptive rights may exist on the portion of Todd Point labelled "PD" on the Land Use Map (Figure 1) and require public access as a condition of permit approval in this area.

Soil and vegetation restoration work shall be part of any acquisition and a paved parking area shall be developed which is adequately screened and buffered from nearby residential areas. (1/86)

Policy III-23 The vertical access and parking required by the Coastal Commission as a condition for approval of the College of the Redwoods shall be developed when the college is developed or when any other development is proposed on this site. (1/86)

Policy III-24 The City shall review the feasibilities and opportunities for developing additional public accessways if there is a proposed change in land use at the GP facility location in the future that removes or reduces the present safety issues related to the airport and industrial activities. (1/86)

Policy III-25 A conditional future lateral access will be required if the present industrial use of the Georgia-Pacific site changes and the current safety conflict is no longer present, pursuant to the final court decision in the Georgia-Pacific vs. California Coastal Commission case. This access will extend along the bluffs of the GP property, north of the Noyo Harbor area to the end and just east of the private airstrip. (1/86)

J. Authority

(1/86)

One of the major goals of the Coastal Act is to "Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners" (Section 30001.5). Other sections of the Coastal Act which involve access issues include 30210, 30211, 30212, 30604, 30610, 30212.5 and 30213. Criteria for siting public access is contained in Section 30214 of the Coastal Act.

K. Issues

(1/86)

Public access remains limited within the City of Fort Bragg due to the location of the GP facilities and the steep, rocky bluffs adjacent to much of the beach area. However, there is the potential for additional public access in the newly annexed areas.

1. North Highway 1

(1/86)

Public use of the beach at Pudding Creek is heavy and this area is a major recreational facility. A coastal access sign has been posted in this area. This area could be improved for easier access, e.g., provision of a paved entry/exit roadway and parking spaces, restroom facilities, trash cans, etc.

Immediately north of Pudding Creek and the adjacent beach area is MacKerricher State Park which provides approximately 7 miles of beach. Therefore, lateral access is available from Pudding Creek through the State Park. Lateral access south of Pudding Creek to Glass Beach is possible during some tidal conditions. Therefore, lateral access to the coast is provided through essentially all of the northern portion of Fort Bragg.

There is an existing State owned vertical access near the junction of Airport Road and Highway 1. This access currently is unimproved, i.e.,

consists of a dirt trail to the coast. This trail could be improved for better access. Major parking facilities and restrooms are not recommended due to the fragile nature of the coastal bluffs, the potential destruction of vegetation via trampling and the potential for erosion of the bluffs. A fenced walkway is recommended to prevent visitors from trampling and destroying bluff vegetation.

The possibility of an additional vertical access point within the north Highway 1 annexation area should be encouraged by the City. Such an access point would be desirable as a trail from Highway 1, through the area designated for "Open Space," across the GP private road, to the bluffs within the State Park. Major parking facilities and restrooms are not recommended due to the fragile nature of the coastal bluffs, the potential destruction of vegetation via trampling and the potential for erosion of the bluffs. If such an access is developed, a fenced walkway is recommended to prevent visitors from trampling and destroying bluff vegetation.

2. Noyo Point

(1/86)

The main access to the beach in this area is via a dirt extension from North Harbor Drive. The Coastal Conservancy has plans to improve and enhance this access way and to provide necessary public facilities. This will enhance the access opportunities for visitors and provide much needed recreational facilities.

Access is not recommended on the northern portion of Noyo Point because safety issues prohibit access through the GP facility. First, a large number and variety of heavy equipment units are constantly moving through the lumber yard to pick up logs, transport them to the cutting facilities, etc. Second, access to the bluffs/coast would require access across the airstrip which would create a severe safety hazard. Third, access to the beach cannot be provided across the GP facility due to the presence of steep, rocky cliffs. Finally, the presence of a Native American Indian community and burial grounds on the land south of the GP facility, make the possibility of providing access to the bluffs highly undesirable at this time. Further, some of this bluff top area may contain archaeological resources. However, the feasibility of providing additional access must be reviewed in the future if there is a proposed change in land use that removes or reduces the present safety issues related to the airport and industrial activities.

During the early 1980's the Coastal Commission required vertical access through Georgia-Pacific's property as a condition for granting development permits requested by the company. GP did not agree with the Coastal Commission's determination that several accessways would be required and took the matter to court. The court determined that access conditions must bear some reasonable relationship to the site of the project and cannot be justified by speculation as to future changes in land use when no supporting evidence exists. Therefore, vertical access was required only at Elm Street and lateral access was required north of Elm Street.

3. Todd Point

(1/86)

The bluffs, on the southern side of the Noyo Bay, offer a panoramic view of the Noyo Harbor area. Access to this area is via Ocean View Drive.

This area currently is used by the public to view the ocean and has been for some time as evidenced by the dirt roads and trails. Therefore, prescriptive rights may exist. A minor erosion problem exists along these bluffs since vegetation has been destroyed. Access to the beach from the bluffs is constrained by the steep, rocky cliffs.

An offer of dedication has been made by the College of the Redwoods for a public accessway as part of its Coastal Development Permit. Therefore, an additional public access will be available when the College is developed (see Figure 2).

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IV. RECREATION AND VISITOR SERVING FACILITIES

A. Legal and Policy Framework

The following Coastal Act policies address the issue of recreation and visitor facilities:

The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:

- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners. (Section 30001.5)

Lower cost visitor and recreational facilities...for persons of low and moderate income shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred...(Section 30213).

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses. (Section 30220)

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area. (Section 30221)

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. (Section 30222)

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible. (Section 30223)

...Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors. (Section 30250)

Related policies are found in the Chapters on "Shoreline Access" and "Commercial Fishing and Recreational Boating."

B. Existing Conditions

Fort Bragg serves as the regional service center for the Mendocino Coast and many of the support services needed for the recreation and tourist oriented business on the coast are located here. There is no apparent shortage of visitor serving commercial outlets in Fort Bragg. Virtually

the entire distance of Highway 1 from Simpson Lane well south of the City Limits, nearly to Airport Road north of the City Limits is devoted to commercial activity, a great percentage of which is visitor oriented. In that area, there is a reasonable amount of vacant land available for commercial expansion. Although most of the available sites between Noyo River and Pudding Creek are small to medium sized lots, larger lot development opportunities for visitor serving commercial within the City Limits exist south of the Noyo.

C. Plan Proposals

Since there does not appear to be any major deficiency in the number of sites available for visitor-commercial facilities, major changes are not proposed here. In order to provide sites for visitor-commercial developments, the proposed land use definitions have been reviewed and modified to ensure that they adequately promote the availability of visitor serving facilities. While previous definitions allowed general highway-oriented retail as a principle use in the Highway-Visitor Commercial (HVC) areas, the new definition allows such uses as secondary uses. This will encourage visitor-oriented uses in these areas, but not completely restrict other commercial uses. In addition, visitor-commercial uses are allowed in all other commercial land use designations, thereby further increasing the availability of sites for visitor-commercial uses.

D. Policies for Recreation and Visitor Serving Facilities

Policy IV-1: Additional Sites for Visitor Serving Commercial. The City shall provide for and encourage additional visitor serving commercial facilities by:

1. Maintaining existing areas designated for highway-visitor serving commercial;
2. Allowing visitor-serving uses within all commercial land use designations; and,
3. Maintaining the "highway-visitor serving commercial" land use designation as one allowing primarily recreational and visitor serving uses.

Policy IV-2: Visitor-Serving facilities shall be allowed and the preferred use in area designed Planned Development on the Land Use Map (see Figure 1). (1/86)

Policy IV-3: The City shall encourage the expansion of the GP Nursery visitor center. (1/86)

E. Authority

(1/86)

One of the basic goals of the Coastal Act is to "Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners" (Section 30001.5). Developments providing public recreational opportunities are preferred (Section 30213). Other sections of the Coastal Act which deal with recreation and visitor-serving facilities include sections 30220, 30221, 30222, 30223, and 30250. Related policies are found in the Chapters on Shoreline Access and Commercial Fishing and Recreational Boating.

F. Issues

(1/86)

Fort Bragg provides the center for tourism along the Mendocino Coast. There are a number of visitor-serving commercial areas along Highway 1 within the City. Due to recent annexations, there has been an increase in the number of recreational and visitor-serving facilities within the City of Fort Bragg.

Several existing hotels/motels are located within the north Highway 1 annexation area. Also, a large portion of this area has been zoned for highway visitor-serving commercial facilities (scenic corridor special highway areas).

The Noyo Point area also provides some additional visitor-serving facilities, i.e., along the northern bank of the Noyo River and along Highway 1 immediately south and north of the Noyo River Bridge. North of the Noyo River Bridge is a restaurant and south of the bridge the area has been zoned for highway commercial uses. This will provide additional visitor-serving facilities.

There are a number of existing visitor-serving facilities within the Fort Bragg area, e.g., hotels/motels, restaurants, the Skunk Train, beach facilities, etc. A visitor center and nature trail through a small, man-made forest is located adjacent to the GP nursery and owned by GP. The annexed areas will increase the number of facilities available for visitor-serving purposes and should be sufficient for the level of tourism.

See the above section on coastal access for a discussion of visitor-serving beach facilities.

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VI. WATER AND MARINE RESOURCES

A. Legal and Policy Framework

The following Coastal Act policies focus on reservation of water and other marine resources.

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes. (Section 30230)

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams. (Section 30231)

Sections 30236 of the Coastal Act (quoted in Chapter VII) limits the construction of dams or other substantial alterations of streams. The restoration of marine resources occurs not only through the preservation of water quality, but also through the preservation, restoration and enhancement of habitat areas, including the maintenance of riparian buffers, wetlands, streams, etc. Those proposals appear under the heading "Environmentally Sensitive Habitat Areas" in Chapter IX. Groundwater quality, discharges and runoff are dealt with in this section.

B. Groundwater

The most serious groundwater quality problems in the City's Coastal Zone occur in the recently annexed territory in the South Street and North Harbor Drive Area, including the Woodward Street neighborhood. A 1967 County Public Health Department study, updated in 1980, showed extensive well contamination caused by inadequate septic disposal systems. Local property owners supported annexation largely to avail themselves of City water.

While the utilization of City water solves the problem of quality residential water supply, the use of old, sub-standard septic systems on extremely small lots still presents a health problem. Furthermore, contamination of the groundwater can cause seepage of contaminated water into adjacent bodies of water, especially when the water table and source of contamination are high relative to the adjacent body of water. Also, in

some circumstances, the use of well and septic systems in relatively unstable soils with steep surface slopes can contribute to soil instability, sometimes providing the final increment of instability leading to ground failure.

City policy should also ensure that all new developments are on City water and sewer, with very few or no exceptions.

C. Surface Discharges

The only discharges known within the City's Coastal Zone are the City's Sewage Treatment Plant and the discharges from the Georgia-Pacific lumber mill -- both into the ocean.

The City's Sewage Treatment Plant has been experiencing some difficulties in maintaining water quality because of sludge build up resulting from over use of the facility by septic tank pumping operators. This use is being drastically reduced on a phased basis and is expected by both the City and the Regional Water Quality Control Board to bring the problem under control. When this happens, the City's sewage treatment facility should meet all State and Federal standards with no major modifications to the system anticipated to be needed.

Georgia-Pacific has one discharge into the ocean authorized by the Water Quality Control Board. That discharge comes from their log pond. They are presently experiencing some discharge quality problems relating to high zinc content. The lumber plant also appears to have one or more unauthorized discharge points on its property. Some of these are seasonal and relate to storm runoff. All of them are considered by the Water Quality Control Board staff to be minimal and cause no significant impact on biological productivity. The Water Quality Control Board's jurisdiction over and continuing monitoring and control of these discharges and their apparently minimal importance, indicate that the City's coastal plan should have little to say about them.

D. Runoff, Erosion and Surface Grading

The major runoff/erosion problem in the City Coastal Zone is in the vicinity of Cypress Avenue. In the floodplain along the river, erosion problems should be solved. Fairly extensive erosion occurs in the dirt road extension of Cypress. The increase in impervious surfaces associated with recent development there, has probably exacerbated the problem. The erosion problem should be solved, probably by joint action of the shoreline property owners and developers up on the bluff.

This instance of erosion is a good example of what should be avoided by development permit standards designed to deal with long-term changes in runoff patterns, as well as measures to minimize erosion problems during the construction period. Proper engineering standards and design shall be used to prevent erosion and uncontrolled runoff in the design in all new development, including surface grading.

Another area where there is erosion, although on a more limited scale, is in the vicinity of the Noyo Bridge. The State Department of Transportation

should solve those problems, perhaps in conjunction with an access improvement project.

The Coastal Act and Coastal Commission interpretive guidelines suggest policies and standards which would minimize the alteration of cliffs, bluff tops, faces or bases, and other natural land forms. The uses of retaining walls should also be avoided. Changes to natural land forms in bluff and other steep slope areas in the City's coastal zone and especially near riparian corridors can be almost completely avoided.

E. Development Review

The City's General Plan presently calls for a "detailed geologic hazards report prepared by a geologist licensed in the State of California" when development is to occur on, or near the edge of bluff tops. An "area of demonstration" is defined in technical terms by bluff height and slope, within which developments require this geologic hazards report (see Chapter XI). Those reports require professional analysis of the effect on runoff, erosion and surface grading.

The "Coastal Environment" map defines special review areas of various types. Developments in Runoff special review areas should require professional assessment of how the development will effect water quality through runoff and erosion and surface grading.

F. Water and Marine Resources Policies

Policy VI-1/XV-2: New Development to Use City Water and Sewer. All new development constructed in the City Coastal Zone shall be connected to the City water and sewer systems. Limited exceptions to this requirement may be allowed in special or hardship circumstances.

Policy VI-2: Conversion of Existing Well and Septic Systems to City Water and Sewer. Existing development that utilizes well and septic systems shall be phased out and included in the assessment districts.
(1/86)

Policy VI-3: Special Review of Runoff Prone and Runoff Sensitive Areas. The City shall require all development occurring in the runoff ("RO") special review areas on the Coastal Environment Map to undergo the special review process set out in Chapter XVII, Section E. Permitted development in these areas will be designed to protect and maintain the biological productivity and quality of coastal waters, marine resources, and riparian habitats, and to maintain optimum populations of marine organisms.

Policy VI-4: Changes in Runoff Patterns. Changes in runoff patterns which result from new development, either by virtue of changes in land forms or from increases in impervious surfaces, shall not cause increases in soil erosion or stream sedimentation, nor shall they disturb environmentally sensitive riparian or wetland habitats. Such changes may be allowed only if mitigation measures sufficient to allow for the interception of any material eroded as a result of the proposed development have been provided.

Policy VI-5/XI-2: Alteration of Landforms. The alteration of cliffs,

bluff tops, faces or bases, and other natural land forms shall be minimized in the Coastal Zone and especially in runoff ("RO") special review areas. Such changes may be allowed only if mitigation measures sufficient to allow for the interception of any material eroded as a result of the proposed development have been provided.

Policy VI-6: Erosion Near the Noyo Bridge. The State Department of Transportation should correct the erosion problem occurring on the bluffs along and underneath the Noyo Bridge (refer to Policy III-12).

Policy VI-7: New development within the annexed areas shall be connected to the City water and sewer systems. Assessment Districts in the Todd Point, Noyo Point and the north Highway 1 areas shall be developed for this purpose, unless other sources of funds become available. (1/86)

Policy VI-8: The bluffs within the newly annexed areas shall be included in the special review areas (see the Coastal Environment Map, Figure 2). The City shall require all development occurring in the runoff special review areas to undergo the special review process set out in Chapter XVII of this document. Permitted development in these areas shall be designed to protect and maintain the biological productivity and quality of coastal waters, marine resources and riparian habitat and to maintain optimum populations of marine organisms. (1/86)

Policy VI-9: Changes to natural land forms near riparian habitat areas shall be avoided. (1/86)

Policy VI-10: Development on the parcels along Highway 20 shall not have significant impacts on Hare Creek. These parcels shall be required to undergo review to assure that runoff does not impact Hare Creek. (1/86)

G. Authority

(1/86)

The following Coastal Act policies focus on the preservation of water and marine resources.

"Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes" (Section 30230).

"The biological productivity and the quality of coastal waters, streams, wetlands, estuaries and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats and minimizing alteration of natural streams" (Section 30231).

Section 30236 of the Coastal Act limits the construction of dams or other substantial alterations of streams. See the section on Environmentally Sensitive Habitat Areas for related issues.

H. Issues

(1/86)

1. Groundwater

(1/86)

None of the areas which have been recently annexed are connected to the City's sewage system. An assessment district has been proposed for the Todd Point area and is being considered for the north Highway 1 annexation area. The City should require that all new developments be connected to City water and sewer systems.

2. Runoff, Erosion and Surface Grading

(1/86)

There currently are no significant runoff or erosion problems in the recently annexed areas. There is a minor problem with erosion at Todd Point because the vegetation on the coastal bluffs has been partially removed by trampling. Development on these bluffs must be of low intensity and carefully sited to avoid further erosion and damage to these areas. Development could increase the paved surface areas and thus lead to an increase in surface water runoff.

The City has prepared a drainage plan to evaluate drainage improvements for the entire City. The first phase of the plan involved the location and sizes of the pipelines. This included evaluation of 2, 10 and 100 year storm flows. The plan is recommending that drainage improvements be designed to handle 10 year flows.

The Coastal Act requires policies and standards to minimize the alteration of cliffs, bluff tops, faces and bases and other natural land forms. Changes to natural land forms in bluff and steep slope areas, especially near riparian areas, must be avoided.

The two parcels on Highway 20 are located above Hare Creek which contains riparian habitat. Development on these parcels must not have significant runoff impacts on the riparian habitat in Hare Creek.

3. Development Review

(1/86)

The City's General Plan presently calls for a "detailed geologic hazards report prepared by a geologist licensed in the State of California" when development is to occur on or near the edge of bluff tops. These reports require professional analysis of the effect of runoff, erosion and surface grading. The bluffs in all the recently annexed areas shall be included in this review.

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VII. DREDGING, FILLING, AND SHORELINE STRUCTURES

A. Legal and Policy Framework

The following sections set out Coastal Act policies concerning dredging, filling, and shoreline structures:

- (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
 - (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
 - (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
 - (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored.
 - (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities.
 - (5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
 - (6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
 - (7) Restoration purposes.
 - (8) Nature study, aquaculture, or similar resource-dependent activities.
- (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

- (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California," shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division. (Section 30233)

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fishkills should be phased out or upgraded where feasible. (Section 30235)

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat. (Section 30236)

Where any dike and fill development is permitted in wetlands in conformity with this division, mitigation measures shall include, at a minimum, either acquisition of equivalent areas to tidal action; provided, however, that if no appropriate restoration site is available, an in-lieu fee sufficient to provide an area of equivalent productive value or surface areas shall be dedicated to an appropriate public agency, or such replacement site shall be purchased before the dike or fill development may proceed. Such mitigation measures shall not be required for temporary or short-term fill or diking; provided, that a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest feasible time. (Section 30607.1)

Because of the close relationship between the physical act of dredging and filling wet coastal and riparian areas and the impact that those activities have on wetlands and other environmentally sensitive habitat areas, the reader should refer to Chapter IX where environmentally sensitive habitat areas are discussed.

B. Analysis

The applicability of this section to the City's Local Coastal Plan is

limited. Most of the Noyo Harbor, where such activities are concentrated, is not within the City Limits. Although diking, dredging, and filling activities in the harbor will have an impact on the City, these functions are addressed in the County's Local Coastal Plan.

There are no sites within the City Limits that are deemed adequate for dredging, other than that limited dredging which might accompany development of a site (with appropriate wetlands habitat removal mitigation measures). Major dredging issues in the Noyo Basin are being included in the County LCP at this time. Diking and filling area also not needed unless they are incorporated in the specific design of a wetland restoration project discussed elsewhere in this document. A discussion of possible dredging activities in conjunction with coastal-dependent industrial development and wetland restoration occurs in Chapters VIII and IX. There are no known proposals for shoreline structures within the City Limits, other than boat docks dealt with in Policy VII-4 below.

C. Policies for Dredging, Filling, and Shoreline Structures

Policy VII-1: Dredging, Filling and Shoreline Structures General Policy. Any dredging, filling, diking or placement of shoreline structures in the City's coastal zone shall adhere to the policies contained in Section A of this Chapter.

Policy VII-2: It is expected that the existing dredge spoils site located near the mouth of the Noyo Harbor will continue to be used. Such activities shall be compatible with proposed public access or designated commercial or recreational boating traffic, and these uses shall not interfere with the existing spoils disposal operation. Any development proposed to replace the spoils disposal site shall require a Land Use Plan Amendment. (1/86)

Policy VII-3: Dredging, Diking, and Filling Associated with Coastal Dependent Industry and Wetland Restoration. There are no shoreline sites within the City's coastal zone where any dredging, diking, or filling would be approved, except the Noyo River sites designated in Chapters VIII and IX for coastal dependent industrial development and boating facilities with wetland restoration, if any. Any such activity must be consistent with the requirements of Policy VII-1.

Policy VII-4: Shoreline Structures. Shoreline structures may be permitted where consistent with Policy VII-1, and may not interfere with designated public access or commercial or recreational boating traffic. Shoreline boat mooring or pedestrian access structures meeting those criteria, as well as the standards and plans established by the U.S. Army Corps of Engineers and the Noyo Harbor District, may be allowed within the following areas:

1. Along the southwestern-most 800 feet of Noyo River frontage within the City Limits, on the north bank of the river;
2. Within the developed part of an approved coastal-dependent industrial development site.

D. Authority

(1/86)

The following sections set out Coastal Act policies concerning dredging, filling and shoreline structures: 30233, 30235, 30236, and 30607.1.

E. Issues

(1/86)

Major dredging issues in the Noyo Basin have been addressed in the County of Mendocino's LUP because most of the Noyo Harbor is under County jurisdiction. However, a portion of the recently annexed area in Noyo Harbor contains a dredge spoils site. This site is located immediately north of the jetty and is used for maintenance dredging of the harbor about once every three years.

VIII. COMMERCIAL FISHING AND RECREATIONAL BOATING

A. Legal and Policy Framework

The following Coastal Act policies address commercial fishing and recreational boating:

The use of private land suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. (Section 30222)

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities. (Section 30233)

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support. (Amended by Cal. Stats. 1979, Ch. 1090.) (Section 30255)

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land. (Section 30224)

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry. (Section 30234)

Because fishing and boating facilities are generally located on the shoreline, the U.S. Army Corps of Engineers also plays a strong role in

regulating their siting and design. Not only are Corps-sponsored improvements often essential to the safety and success of boating facilities, but the Corps has to approve any changes to the waterway, including its floodplain.

B. Existing and Proposed Facilities in the Vicinity

Existing boating facilities in the vicinity, but not within the City's Coastal Zone, are located in the Noyo River Basin. While the City's LCP does not cover that area, a brief description of the neighboring facilities is given here to put proposals within the City in their context.

Noyo Harbor is an all-weather port and the most active and important harbor between Bodega Bay and Eureka. The Noyo Harbor District has constructed 256 berths since 1968. Those berths are virtually always full, and 80 to 90 percent of the boats moored there are commercial craft. The lower harbor area, on both sides of the river just east of the river mouth, also contains parking and ship building areas, boat launching and repair facilities, fish processing plants and marine supply stores. Commercial outlets, including processing plants and supply stores. Commercial outlets, including visitor-oriented restaurants, are clustered on the north bank of the harbor. About a half-mile upriver, on the south side of the river, the Dolphin Cove private commercial marina berths about 150 mostly recreational boats.

The Mendocino County Coastal Energy Impact Program publication "Development Scenarios and Siting Options" (March 1980), describes the existing channel and boating activity as follows:

The Noyo Harbor District's navigable channel is 100 feet wide and is dredged to a depth of 10 feet. Water depths in the outer cove range from 10 to 50 feet. The maximum size vessel that can be accommodated is about 70 feet in length, with the shallow channel as the limiting factor. The harbor is busiest during the summer months with 550 vessels moving in and out on an average day, and traffic increases to 700 vessel movements on a peak day. Vessel activity declines during the winter to an average of about 10 vessel movements per day.

Berthing and commercial fishing support facilities are currently in high demand in Noyo Harbor. The Harbor District's 1980 Feasibility Report for Expansion cited a waiting list of 130 for commercial berths and documented overcrowding in the Harbor mooring area. The report also forecast increased future demand for commercial fishing facilities in the Harbor, assuming a rise in the exploitation of underutilized fish species off the California Coast.

Possibilities for commercial fishing expansion in Noyo Harbor are quite limited, however. One of the more significant proposals for Noyo Harbor improvements developed in the last few years was the Harbor District's plan to add some 75 berths, 100-ton haul-out and improved repair facilities, administrative offices and public restrooms. The District has also considered expanded facilities for larger boats. While the improvement proposals were prompted by the extremely strong demand on existing District

facilities, financing and dredging spoils disposal problems have stopped the projects, at least for the time being. Dolphin Cove, a recreational boating marina further up the Noyo River, could provide additional berths for commercial fishing vessels, but only if the river channel is deepened and if recreational boating is displaced. Dredging issues are discussed below. In sum, the two areas on the North Bank discussed in the LUP represent the only areas on the lower Noyo River available for commercial fishing expansion.

The United States Army Corps of Engineers has several projects under study. One such study would lead to the construction of breakwaters enclosing and protecting Noyo Bay from hazardous wave action. In addition to improving the port's safety, that project would probably create attractive mooring sites for larger vessels in the bay. The Corps has also been studying deepening the existing channel and lengthening it to a point just above Dolphin Cove. It appears at present that this project may have difficulty because of the shortage of land to meet the Corps' requirement that a disposal site be identified that will accomodate the dredging spoils generated over a 50-year period; however, ocean disposal is also being examined. The lengthening of the channel could have major impacts on Dolphin Cove, on land near there, across the river and in the City, on vessel traffic on the river, on land uses and vehicular traffic around the harbor, on fishing and other natural resources in the area, and on the economic well-being of the area.

C. Possible Additional Facilities in the City

The only area within the City coastal zone that has the potential for boating facilities is the north bank of the Noyo River. In general, all of the City's present river frontage on the North bank of the Noyo, that is at or below an elevation of 25 feet or less above mean sea level, is not in a steep slope area, and does not need to be preserved for biological reasons (e.g., riparian or wetlands vegetation), should be reserved for commercial fishing and boating facilities or other "coastal dependent uses."

D. The Need for a Noyo Basin Plan

As was mentioned above, the U.S. Army Corps of Engineers is studying the possibility of deepening the Noyo channel to a point above the Dolphin Cove Marina. Proposals such as this channel deepening, the potential marina site discussed above, wetlands restoration, expansion of the Harbor District's berthing facilities, the provision of additional fishing related industrial services, improvement of circulation in and around Noyo Harbor, potential large boat mooring in the outer bay, and vehicular access to the harbor area should all be dealt with by a comprehensive harbor plan.

The harbor happens to be in one of those unfortunate areas where several jurisdictions meet. In addition to the several State and Federal agencies that have a role to play in the Noyo basin (most notably the U.S. Army Corps of Engineers), the City of Fort Bragg, the County of Mendocino, and the Noyo Harbor District all have partial local governmental jurisdiction in the area. The Harbor District's plan deal primarily with improvements to Harbor District facilities. The City and County plans deal with City and County jurisdictional areas respectively, while not addressing

adequately overall capacity, circulation and other problems of the harbor basin.

We propose a joint planning program under the leadership of the three local agencies, but with close working relationships with the U.S. Army Corps of Engineers, the State Department of Fish and Game, the State Department of Boating and Waterways, the State Coastal Commission, and other relevant state and federal agencies. Public representation, and that of major users of the harbor, such as commercial and recreational boaters, must, of course, also be included. Until such a time as that study is accomplished, any proposals for marina expansions such as we have discussed above should, in effect, be tentative based on their lack of a strong basis in harbor-wide planning.

The first step in undertaking such a cooperative study would be for the Noyo Harbor District Board of Directors, the Fort Bragg City Council, and the County of Mendocino Board of Supervisors, to each formally direct their staffs to enter into discussion concerning such a study, and to report back to the respective governing boards with recommendations for how to undertake the study. Possible approaches to undertaking such a study would include a joint powers agreement, and area planning commission, or simple informal, but regular, liaison.

E. Policies for Commercial Fishing and Recreational Boating

Policy VIII-1: Noyo Basin Plan. If the Noyo Harbor is annexed to the City, the City shall actively encourage the development of a comprehensive Noyo Basin Plan by working with the Noyo Harbor District, County of Mendocino, U.S. Army Corps of Engineers, and other appropriate local, state, and federal agencies.

Policy VIII-2/XVI-1: Land Use of the North Bank of the Noyo. All lands on the north bank of the Noyo River, within the City Limits and below 25 feet above mean sea level, shall be reserved for commercial fishing and other coastal-dependent industry, except for lands:

1. Required to be maintained for riparian habitat values; and
2. Needed to meet access requirements set out in Chapter III.

Policy VIII-3: Noyo Basin Development Policy Consistency. Any development allowed in the City's portion of the Noyo Basin shall:

1. Be consistent with any Noyo Basin Plan adopted jointly by the City, the Noyo Harbor District, and the County of Mendocino, if such a plan exists; and,
2. Be consistent with other Land Use Plan policies, particularly those in Chapters IX and VII.

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F. Authority

(1/86)

The following Coastal Act policies address commercial fishing and recreational boating: Sections 30222, 30233, 30255, 30224, and 30234.

G. Issues

(1/86)

The only area within the City's coastal zone that has the potential for boating facilities is the north bank of the Noyo River. However, this area has been designated for visitor-serving recreational facilities because it is one of the few major access points to the beach in the Fort Bragg area.

IX. ENVIRONMENTALLY SENSITIVE HABITAT AREAS

A. Legal and Policy Framework

The following Coastal Act policies address environmentally sensitive habitat areas:

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments. (Section 30107.5)

"Wetland" means land within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. (Section 30121)

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. (Section 30240)

Also, Sections 30230 and 30231 (quoted in Chapter IV) and 30233 (quoted in Chapter VII) call for the maintenance, protection, enhancement and restoration of habitats of special biological or economic significance, the sustaining of biological productivity and the maintenance of natural vegetation buffer areas that protect riparian habitats. Section 30233 also sets out special provisions for the restoration of degraded wetlands in conjunction with the development of boating facilities in such wetlands.

Section 30502 of the Public Resources Code required that "the Coastal Commission, in consultation with local governments and the appropriate regional commissions, shall, not later than September 1, 1977, after public hearing designate sensitive coastal resource areas..." etc., and that "the designation of each sensitive coastal resource area shall be based upon a separate report prepared and adopted by the Commission" and that the report would contain specified information. The required report designation and findings were not done according to the statute's requirements.

Section 30502 C. further requires that the Local Coastal Program shall include the implementing actions adequate to protect the coastal resources enumerated in the findings of the sensitive coastal resource area report in conformity to the policies of that division. Because the report and findings were not prepared, the City cannot address them. Nevertheless, the City has designated sensitive coastal resource areas in the LCP and the areas will subsequently be zoned to conform with the program and adequate provisions will be made to protect them.

B. Coastal Bluff Environments

Most headland areas within the City Limits do not presently contain significant habitat because of their intensive use by the Georgia-Pacific Corporation. They are not likely to contain rare or endangered species. The ocean facing cliffs along the entire coastal margin are well vegetated, however, and are important habitat. Their steepness provides a form of natural protection, so no special consideration is called for in the plan, beyond what has already been set out.

However, field investigation has confirmed the presence of two species of uncommon plants growing in or near the City's coastal zone. They are *Castilleja latifolia* ssp. *Mendocinensis*, Mendocino coast paint brush, and *Chorizanthe Howellii*, the Howell chorizanthe. The species *Erysimum Menziesii*, Menzie's wallflower, may also occur in the area as it is known to occur nearby in similar environments. These plants are not included on State and Federal statutory listings of rare and endangered plant species, but they are under investigation by the State for inclusion on such lists and are identified by the California Native Plant Society as being of limited occurrence, partially endangered or declining in population.

The species mentioned above as being identified were found on the southern coastal headland at the mouth of Pudding Creek. The headlands are a valuable habitat for plants and animals other than the plants mentioned above. The area includes regions of coastal prairie in which introduced annual grasses predominate, and areas of coastal strand where sand from beaches has been deposited on the bluffs. While the headlands under consideration may or may not warrant immediate acquisition for their wildlife values, their environmental value is such as to warrant a study at such time as any development may be proposed. If at that time any of the plants have been placed on a statutory list of rare and endangered species, they will be addressed and measures taken to protect them as may be found appropriate.

C. Intertidal and Marine Areas

The rocky intertidal areas along the coast south of Glass Beach contain extremely biologically rich tide pools, rocks, nesting grounds, bluffs, and kelp beds. In part for these reasons, we have recommended only limited scientific and educational access to the vicinity. The bluffs and adjacent industrial activity form an effective buffer protecting these habitats from human disruption. They are presently in a relatively pristine condition and biologically quite productive. In addition to public access being limited, the adjacent industrial land use should be closely monitored by a public agency or private association for impact on these habitats. This may mean closer monitoring of and increased setbacks relating to industrial activity on the bluff ridges, and closer monitoring and adjustment of water runoff patterns. These topics are dealt with in Chapters XI and VI, respectively.

D. Wetlands

Wetlands are lands within the coastal zone which may be covered

periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. See the interpretive guidelines for determining criteria; the U.S. Fish and Wildlife Service's definition of wetlands states that they must have one or more of the following attributes:

1. At least periodically the land supports predominantly hydrophytes;
2. The substrate is predominantly undrained hydric soil; and,
3. The substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.

There is a brackish marsh located near a spring on the south bank of Pudding Creek (located on the Coastal Environmental Map). Because the areas immediately adjacent to it are totally unsuited for development, the continuance of this marsh in its natural state is not threatened. Still, any development occurring near this site would be required to undergo the special review process to assure that it did not have a negative impact on the wetland area or on adjacent vegetation.

The two existing low flat areas lying along the north bank of the Noyo River between North Harbor Drive and the extension of Cypress Avenue, have previously been used as a dredge spoil site. Based upon written and oral testimony from local citizens any "wetland" vegetation occurring in these areas has resulted from artificial conditions fostered by the composition and contours of the dredge spoil deposition and levee constructed in 1967-1968. For this reason, the wetlands policies of the Coastal Act, as carried out in this LCP, shall not apply to the existing conditions and shall only apply to those areas which were wetlands prior to the time of the deposition of the dredge spoil; further, the application of the LCP wetland policies shall take into account the fact that the deposition of the dredge spoils was the responsibility of the Noyo Harbor District.

E. Riparian Habitats

Riparian habitat is an area of riparian vegetation and associated animal species. This vegetation is an association of plant species which grow adjacent to fresh watercourses, including perennial and intermittent streams, lakes, and other bodies of fresh water.

Riparian habitats are the third major biological habitat present in the City's coastal zone. Wooded areas along streams and rivers constitute this category of vegetation. On steep slopes, a mixture of tanbark oak, pine, cypress and other tree species occurs. Although not generally subject to development because of steep slopes, such areas must be managed as part of the entire stream system. Specifically, this means avoidance of tree-cutting and road-building. Wherever possible, surface drainage from upland areas should be routed away from these slopes to prevent erosion and to avoid pollution of the streams themselves with substances that may be in the runoff water. To accomplish this, a setback from the top of the banks will generally be required to further buffer the riparian habitat from human activities. Avoidance of harmful development, and design of appropriate setbacks should be accomplished through the more detailed

special review process discussed elsewhere in this report.

One small stream course along the Georgia-Pacific logging road where it drops to the Noyo River floodplain is a well developed grove of red alders, a characteristic riparian tree species. Other riparian plants occur in this grove. The dense nature of the vegetation makes it especially suitable as habitat for such riparian birds as warblers and the red-shouldered hawk. This riparian habitat should be protected in its entirety.

F. Policies for Environmentally Sensitive Habitat Areas

Policy IX-1: General Policy. Environmentally sensitive habitat areas in the City's coastal zone include: Intertidal and marine areas, coastal bluffs, wetlands, and riparian habitats. Such areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Intertidal and marine areas, coastal bluffs, wetlands and riparian habitats shall be protected against any significant disruption of habitat values and only uses depended on such resources shall be allowed within such areas. (1/86)

Policy IX-2: Pudding Creek Wetland. The brackish marsh located on the south shore of Pudding Creek west of Highway 1 and mapped on the Coastal Environment Map shall be preserved in its natural state.

The brackish marsh within Pudding Creek shall be preserved in its natural state. (1/86)

Policy IX-3: Noyo River Flats. The two areas in the flat on the north side of the Noyo are addressed in subsection D. above.

The two areas, up to an elevation of 25 feet above mean sea level, shall be designated for HD uses.

Policy IX-4: Noyo River Riparian Habitat. The riparian habitat areas on the North Bank of the Noyo River identified on the Coastal Environment Map shall be preserved for their habitat value.

Policy IX-5: Special Review of Bluff/Riparian Vegetation. The City shall require all development proposed in the bluff/riparian vegetation ("BRV") special review area on the Coastal Environment Map to undergo the special review process set out in Chapter XVII Section E. A buffer area adequate to prevent significant adverse impacts to identified environmentally sensitive habitat areas and at least 50 feet in width shall be provided in all developments. Standards for determining the size and type of buffer area are included in the special review section.

Policy IX-6: Special Review of Special Vegetation. The City shall require all development proposed in the special vegetation ("SV") special review area on the Coastal Environment Map to undergo the special review process set out in Chapter XVII Section E. If the species noted elsewhere in this chapter have been included on a statutory listing of rare and endangered plant species, then no development which reduces the range of the

rare and endangered species on site shall be allowed, and the site shall be designated for acquisition by a public agency or private association. Otherwise, any development shall be sited and designed to minimize habitat disruption. Buffer areas and mitigation measures adequate to minimize habitat disruption shall be required.

Policy IX-7: All development proposed in the bluff/riparian vegetation areas within the newly annexed areas, i.e., Todd Point, Noyo Point and adjacent to Pudding Creek Beach, shall undergo the special review process set out in Chapter XVII. A buffer area adequate to prevent significant adverse impacts to identified environmentally sensitive habitat areas no less than 50 feet wide shall be provided in all developments. (1/86)

Policy IX-8: The coastal bluffs north of Pudding Creek shall be maintained in their existing state. (1/86)

Policy IX-9: Development on the Highway 20 parcels shall not have significant impacts on Hare Creek. (1/86)

G. Authority (1/86)

The following Coastal Act Policies address environmentally sensitive habitat areas: Sections 30107.5, 30121, 30240, 30230, 30231, 30233, and 30502.

"Environmentally sensitive habitat area means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments" (Section 30107.5). "Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas" (Section 30240).

H. Issues (1/86)

1. Coastal Bluff Environments (1/86)

Coastal bluff environments are sensitive habitats because endemic vegetation is often rare or uncommon and because, if the bluffs are denuded, the potential for erosion of the bluffs is significant. Erosion of coastal bluffs could impact rocky intertidal areas at the base of the cliffs.

The coastal bluffs within the Highway 1 annexation area, adjacent to the MacKerricher State Park contain fairly undisturbed bluff environments. Vegetation in this area includes Castilleja latifolia mendocinensis (Mendocino Coast Paintbrush) and Chorizanthe howellii (Howell Chorizanthe). These plants are not included on State or Federal listings of rare and endangered plant species but they are under investigation by the California Native Plant Society as being of limited occurrence, partially endangered or declining in population. However, Erysimum menziesii (Menzie's Wallflower) also is indigenous to the area and is on the State's list of endangered species. Other vegetation in the area occurs in regions of coastal prairie, in which

introduced grasses predominate, and areas of coastal strand where sand from beaches has been deposited on the bluffs.

The coastal bluffs in the Noyo Point area are more disturbed than the bluffs near Pudding Creek Beach. The bluffs within the GP facility have been heavily disturbed by industrial activities. However, some bluff vegetation remains, including the Mendocino Coast Paintbrush, west of the private GP air strip.

Portions of the bluffs to the south of the Noyo Harbor within Todd Point have been disturbed by human activities. Dirt roads have been made to access the bluffs and much of the vegetation has been removed. However, some vegetation remains intact along limited portions of the bluff.

2. Intertidal and Marine Areas

(1/86)

The rocky intertidal areas along the coast south of Glass Beach to Noyo Bay contain extremely biologically rich tide pools, rocks, nesting grounds, bluffs and kelp beds. The bluffs and adjacent industrial activity form an effective buffer protecting these habitats from human disruption. They are presently in a relatively pristine condition and biologically quite productive. In addition to limiting public access, the adjacent industrial land use should be closely monitored to assure these areas are not impacted, e.g., via water runoff. Rocky intertidal areas exist south of Noyo Bay which also must be protected, e.g., via setbacks for development on bluffs and close monitoring and mitigations to assure no significant increase in water runoff to these areas.

Rocky intertidal areas also are located north of the mouth of Pudding Creek within the area recently annexed to the City. This area should remain in its existing state to protect this area and the areas within the adjacent state park.

3. Wetlands Areas

(1/86)

One small new wetland area is located within the newly annexed area. There is a brackish marsh located near a spring on the south bank of Pudding Creek west of Highway 1. It is unlikely that development will occur near this marsh but any development would be required to undergo the special review process to assure no negative impacts occur to this area.

4. Riparian Habitats

(1/86)

Riparian habitats are an association of plant species which grow adjacent to fresh watercourses, including perennial and intermittent streams, lakes and other bodies of fresh water. One small stream course along the GP logging road where it drops to the Noyo River floodplain has a well developed grove of red alders, a characteristic riparian tree species. Other riparian plants occur in this grove. The dense nature of the vegetation makes it especially suitable as habitat for such riparian birds as warblers and the red-shouldered hawk. This riparian habitat should be protected in its entirety.

X. AGRICULTURE

The Coastal Act requires that "the maximum amount of prime agricultural land shall be maintained in agricultural production...and conflicts shall be minimized between agricultural and urban land uses..." (Section 30241). While the City does have important agricultural land within its General Plan planning area, those plans are outside the current City Limits and therefore must be dealt with by the County's Local Coastal Program.

The City of Fort Bragg has important agricultural land within its General Plan area but not within the coastal zone. (1/86)

(07/92)

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XI. HAZARDS

A. Legal and Policy Framework

Section 30253 of the Act states:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs....

B. Area Geologic Description

Controlling geologic hazards requires a basic understanding of the geology of the territory. Fort Bragg is situated near the western edge of the North American Crustal Plate. The Pacific Crustal Plate lies on the west. The boundary between these two moving (right lateral movement) crustal plates is the active, north trending San Andreas Fault, which is about six miles west of the shoreline at Fort Bragg.

Bedrock underlying the Fort Bragg area is a sequence of marine sedimentary strata of Tertiary-Cretaceous age. The strata consist of hard, fine grained sandstone with common interbeds of firm, black shale. The geologic structure of the strata is a homocline striking north to northwest with dips ranging from 35 to 80 degrees eastward. Minor faulting and contortion are common in the bedrock.

The bedrock sequence was planed off by marine erosion during a higher (relative) stand of the sea. This planed bedrock surface is smooth in large scale, but is very irregular in detail. Unconsolidated terrace deposits of gravel, sand, silt and clay ranging up to 20 feet or more in thickness mantle the planed bedrock surface and form the gently sloping terrace on which Fort Bragg is situated.

Subsequent marine erosion at a lower (relative) stand of the sea formed steep sea cliffs along the Pacific Ocean Coast. Pudding Creek and Noyo River have eroded through the terrace deposits into the underlying bedrock forming steep bluffs along the sides of their valleys.

Rock fall and soil creep are prominent along the sea cliffs. It is tentatively estimated that the average rate of sea cliff retreat would be less than five feet per century. Soil creep is common on the steep river bluffs, but large scale landsliding involving bedrock is rare.

Fort Bragg is in an active seismic region and was severely shaken by the 1906 earthquake on the San Andreas Fault. Maximum credible rock acceleration is estimated to be in excess of 0.5 gravity. No definite

evidence of surface fault rupture in Fort Bragg is known.

C. Bluff Hazards

Besides water quality and vegetation issues, bluff development involves special geologic hazards issues. Policies and procedures in the City's General Plan form the basis for the following standards and policies. The principal tool for assuring geologic stability in new development is the area of demonstration of stability. The area of demonstration of stability includes the base, face, and top of all bluffs and cliffs. The extent of the bluff top includes the area between the face of the bluff and a line described on the bluff top by the intersection of a plane inclined at a 20 degree angle from horizontal passing through the toe of the bluff or cliff, or 50 feet inland from the edge of the cliff or bluff, whichever is greater.

D. Flooding

In Fort Bragg, the lands adjacent to the Noyo River and Harbor and within the 100-year flood plain are designated as flood hazard areas. These areas are depicted on the General Plan Environmental Constraint Map, and are based on maps adopted by the Federal Government. There are some parts of those areas which have been raised in elevation by the disposal of dredging spoils on the sites. Specific engineering data was not available to definitively determine what part of the Noyo River banks are still in a flood plain. Visual inspections indicate that large areas that were previously in a flood plain are now raised to elevations that are marginal, that is they may or may not now still be a flood plain.

The City and property owners in the area should avail themselves of the map review and updating process that the Federal Government goes through annually, or if development is proposed in such areas, the developer should provide engineered elevation information to the U.S. Army Corps of Engineers to help determine what part of the dredging spoils disposal area is still within a flood plain.

Lands within designated flood plains are designated for harbor dependent (HD) use.

E. Fire

There are no known special fire hazards in the City's Coastal Zone, other than those identified in the City's General Plan. Those areas have become significantly more easily accessible by City fire protection services in recent years, and thus have a reduced fire hazard potential. It is assumed that any new development in the river flats area at the end of South Street would include provision for emergency fire vehicle access. This would eliminate the last identified area of fire hazards within the City's Coastal Zone.

F. Hazards Policies

Policy XI-1: Special Review of Bluff Development. The City shall require all development occurring in the "demonstration area" defined in this

chapter to demonstrate that the area is stable for development and will neither create a geologic hazard nor diminish the stability of the area. The applicant shall file a report evaluating the geologic conditions of the site and the effects of development, to be prepared by a registered geologist, a professional civil engineer with expertise in soils or foundation engineering, or by a certified engineering geologist.

Policy VI-5/XI-2: Alterations of Landforms. The alterations of cliffs, bluff tops, faces or bases, and other natural land forms shall be minimized in the coastal zone and especially in runoff ("RO") special review areas. Such changes may be allowed only if a buffer sufficient to allow for the interception of any material eroded as a result of the proposed development has been provided.

Policy XI-3: Flood Plain Development. New development in flood plains in the City's coastal zone shall be limited to those uses allowed in the Harbor District ("HD") land use classification in addition to the requirements of other land use plan policies. They shall be designed so as to minimize danger of loss of life and property during a flood, either on the site or downstream from the site.

Policy XI-4: The bluff areas annexed to the City and discussed above shall be included in the "demonstration area," defined in Chapter XVII of this document, to demonstrate that the area is stable for development and will neither create a geological hazard nor diminish the stability of the area. Within the newly annexed areas this includes, the area labelled PD at Todd Point, the areas labelled IH and OS at Noyo Point, and the area labelled open space near the mouth of Pudding Creek (Figure 1). The applicant shall file a report evaluating the geologic conditions of the site and the effects of development, to be prepared by a registered geologist, a professional civil engineer with expertise in soils or foundation engineering, or a certified engineering geologist. (1/86)

Policy XI-5: The alteration of cliffs, bluff tops, faces or bases and other natural land forms shall be minimized in the coastal zone. Such changes may be allowed only if a buffer sufficient to allow for the interception of any material eroded as a result of the proposed development has been provided. (1/86)

Policy XI-6: Due to the special significance of the bluffs near Pudding Creek and their location adjacent to the MacKerricher State Park, the bluffs labelled OS on the LUP map (Figure 1) adjacent to Pudding Creek, shall be preserved in their existing state. (1/86)

Policy XI-7: New development in the Noyo floodplains shall be limited to those uses allowed in the Harbor District land use classification in addition to the requirements of other land use plan policies. They shall be designed so as to minimize danger of loss of life and property during a flood, either on the site or downstream from the site. (1/86)

Policy XI-8: No development shall be allowed within the 100-year flood portions of the Pudding Creek hazard area. (1/86)

G. Authority

(1/86)

Section 30250 of the Coastal Act requires that new development "minimize risks to life and property in areas of high geologic, flood and fire hazard"

and "assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs."

H. Issues

(1/86)

See the original Fort Bragg LUP for a detailed description of the geology in the area. In general, Fort Bragg is an active seismic region, primarily due to the San Andreas fault, located about 6 miles west of the City.

Coastal bluff development involves special geologic hazard issues. The main mechanism for assuring geologic stability in new development is the demonstration of stability of the base, face and top of all bluffs and cliffs. The extent of the bluff top includes the area between the face of the bluff and a line described on the bluff top by the intersection of a plane inclined at a 20 degree angle from horizontal passing through the toe of the bluff or cliff, or 50 feet inland from the edge of the cliff or bluff, whichever is greater. Therefore, the bluffs within the newly annexed area must be included in this geological review area, i.e., the bluffs along the Pudding Creek area zoned "Open Space", within the Noyo Point area zoned "PD", "Open Space" and "IH" and within the Todd Point area zoned "PD".

The lands adjacent to the Noyo River and Harbor and the Pudding Creek are designated as flood hazard areas and portions are located within the 100 year floodplain. Also, a small portion of the Highway 20 parcels is located within the 100-year floodplain of Hare Creek.

There are no known special fire hazards in the City's coastal zone.

XII. FORESTRY AND SOILS RESOURCES

Coastal Act Section 30243 requires that "the long term productivity of soils and timberland...be protected..." while there are such soils and timberlands in the City's General Plan area, those are outside the current City Limits and must be dealt with by the County Local Coastal Program.

Although there are soils and timberlands within the City's General Plan area, they are located outside of the City's coastal zone boundaries. (1/86)

(07/92)

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XIII. LOCATING AND PLANNING NEW DEVELOPMENT

A. Legal and Policy Framework

Most specific proposals and policy recommendations concerning land use or policy conflicts are dealt with, in this report, in the chapter or chapters dealing with the policy issues involved (e.g., Environmentally Sensitive Habitat Areas, Commercial Fishing and Recreational Boating, etc.). The two general topics dealing with locating and planning development -- land use classifications and special environmental review and resource protection procedures -- are dealt with in the final chapter of this report, Map Explanations and Land Use Summary.

Thus, this Chapter need only summarize Coastal Act policies that deal with conflicts between, or deal with more than one of the other policy groups, and set out policies on archaeological resources -- the only specific topic not dealt with under other chapter headings. Key Coastal Act sections follow.

The Legislature hereby finds and declares...that to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction...(and) that existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone. (Section 30001)

The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies. (Section 30007.5)

The Legislature hereby finds and declares that this division is not intended, and shall not be construed as authorizing the regional commission, the commission, port governing body, or local government acting pursuant to this division to exercise their power to grant or deny a permit in a manner which will take or damage private property for public use, without the payment of just compensation therefore. This section is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States. (Section 30010)

"Coastal-dependent development or use" means any development or use which requires a site on, or adjacent to, the sea to be able to function at all. (Section 30101)

"Coastal-related development" means any use that is dependent on a coastal-dependent development or use. (Section 30101.3)

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practices Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (Section 30106)

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area. (Section 30212.5)

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. (Section 30222)

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required. (Section 30244)

- (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land division, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the

created parcels would be no smaller than the average size of surrounding parcels....(Section 30250)

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support. (Section 30255)

New development shall...be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development...(and) minimize energy consumption and vehicle miles traveled....(Section 30253)

B. Discussion of Archaeological Resources

The California Archaeological Sites Survey along with the continuing update program of the Cultural Resources Facility at Sonoma State University have mapped numerous archaeological sites along the Mendocino Coast. The Fort Bragg area is rich in such sites. To protect archaeological resources from disruption, the location of the specific sites is not published; however, land owners, researchers, and those designing, undertaking, and regulating land development may determine the exact site locations by submitting a request to the Cultural Resources Facility at Sonoma State University. Because several sites have been identified in the general vicinity of and south of Glass Beach, those areas are designated special review areas, where any new development would require a more detailed archaeological survey. Additionally, this LCP establishes the policy that when any archaeological resources are discovered through digging, grading or other development processes, that development shall be halted while the archaeological resources are being examined.

C. Archaeological Policies

Policy XIII-1: Special Review in Archaeological Areas. The City shall require all development occurring in the archaeological ("AR") special review areas on the Coastal Environment Map to undergo the special review process set out in Chapter XVII, Section E. Where development would adversely impact archaeological or paleontological resources, the City shall require reasonable mitigation measures.

Policy XIII-2: Archaeological Discoveries During Development. When in the course of grading, digging or any other development process, evidence of archaeological artifacts is discovered, all work which could damage or destroy such resources shall cease and City Planning Staff shall be notified immediately of the discovery. City Planning Staff shall notify the State Historic Preservation Officer and the Sonoma State University Cultural Resources Facility of the find. At the request of the State Historic Preservation Officer, development of the site may be halted until an archaeological assessment of the site can be made and mitigation measures developed.

Policy XIII-3: The newly annexed area along the north side of the Noyo River, zoned Planned Development, the area located north and west of the GP airstrip and the area along the southern portion of Noyo Bay, i.e., Todd Point, labelled PD shall be added to the archaeological review areas and undergo the special review process established in Chapter XVII of this document. (1/86)

Policy XIII-4: If residential development is the proposed use in the PD zoned areas, a maximum density of six units per acre will be allowed. (1/86)

D. Authority

(1/86)

This Chapter only deals with conflicts between policies, or deals with more than one of the other policy groups, and it sets out policies on archaeological resources. See the Fort Bragg original LUP for a discussion of the key Coastal Act sections. They include Sections 30001, 30007.5, 30010, 30101, 30101.3, 30106, 30212.5, 30222, 30244, 30250, 30255, and 30253.

"The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial or general commercial development, but not over agriculture or coastal-dependent industry" (Section 30222).

"Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required" (Section 30244).

"New residential, commercial, or industrial development, except as otherwise provided in this division shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels" (Section 30250).

"Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be dependent uses they support" (Section 30255).

E. Issues

(1/86)

The California Archaeological Sites Survey along with the Cultural Resources Facility at Sonoma State University have mapped numerous archaeological sites along the Mendocino Coast, including the Fort Bragg area. Several sites have been identified in the general vicinity of Glass Beach, near Noyo Bay and possibly in the northern portion of Todd Point. These areas should be designated special review areas, where precedent to any new development a more detailed archaeological survey would be required. The newly annexed areas along the north side of the Noyo River, zoned Planned Development, is the site of a Native American Indian community and Indian burial grounds. Therefore, this area should be included within the special review area.

Another burial site is thought to be located near the north end of the private GP airstrip. This area also should be included within the special archaeological review area.

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XIV. COASTAL VISUAL RESOURCES AND SPECIAL COMMUNITIES

A. Legal and Policy Framework

The following Coastal Act policies concern coastal visual resources and special communities:

"Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following...

- (e) Special communities or neighborhoods which are significant visitor destination areas. (Section 30116)

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. (Section 30251)

New development shall:...

- (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics are popular visitor destination points for recreational uses. (Section 30253)

B. Analysis

Along Highway 1 the City's Scenic Corridor Design Review system should be used to implement this Coastal Act policy. That part of the Zoning Ordinance establishes a "Scenic Corridor Combining Zone" and establishes a procedure whereby development proposals are reviewed to ensure that they meet certain design criteria. In the Implementation Phase of this LCP, design criteria should be added to those criteria.

The other major area where such policies are important is along the bluffs in the Noyo River area. The residential design standards to be used there require special review of proposed developments (in the GAC area). This review procedure coupled with the special review procedures set out in this document for bluff and riparian vegetation and minimizing the modification of natural land forms should be sufficient to preserve aesthetic values in that area.

C. Policies for Coastal Visual Resources and Special Communities

Policy XIV-1: General Policy on Visual Resources. New development within the City's coastal zone shall be sited and designated to protect views to and along the ocean, be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

Policy XIV-2/XVI-3: Industrial Development Near Visitor Sites. The City shall require that any new industrial development sited next to visitor serving land uses and facilities, including public accessways, be designed so as to minimize its visual impact on the visitor serving land uses and facilities.

Policy XIV-3: The views from the bluffs at the mouth of Pudding Creek and the Noyo River shall be protected. (1/86)

Policy XIV-4: The views from Highway 20 to the ocean and Hare Creek Cove shall be protected. (1/86)

Policy XIV-5: All newly annexed areas shall be included in the City's Scenic Corridor Design Review system. (1/86)

Policy XIV-6: The City shall make an effort to remove the large billboard near the Highway 1/Highway 20 intersection, i.e., along Highway 20 east of Highway 1 to protect and create additional views of the ocean and Hare Creek Cove. (1/86)

D. Authority

(1/86)

The following policies concern coastal visual resources and special communities. "Sensitive coastal resource areas means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity" and includes "special communities or neighborhoods which are significant visitor destination areas" (Section 30116).

"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local Government shall be subordinate to the character of its setting" (Section 30251).

E. Issues

(1/86)

Highway 1, through all of the state, with the exception of the Los Angeles area, is included in the State's Scenic Highway System. However, no portion of Highway 1 in Mendocino County has been officially designated as a Scenic Highway. A number of areas have been annexed to the City along Highway 1, i.e., along Todd Point, and the area north of Pudding Creek. The City of Fort Bragg has established a Scenic Corridor Design Review system which has been used to implement this Coastal Act policy. This part of the Zoning Ordinance establishes a "Scenic Corridor Combining Zone" and establishes a

procedure whereby development proposals are reviewed to ensure that they meet certain design criteria.

There are several areas of special aesthetic importance within the annexed areas: (1) the bluffs at the mouth of Pudding Creek; (2) the bluffs on Noyo Point; (3) the bluffs on Todd Point; and (4) the views to the ocean and Hare Creek Cove from Highway 20. A large portion of Highway 1, including those areas recently annexed to the City, has a view of the coastline.

(07/92)

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XV. PUBLIC WORKS

A. Legal and Policy Framework

The following Coastal Act policies address the public works issue:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development. (Section 30254)

"Public Works" means the following:

- (a) All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.
- (b) All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities. For purposes of this division, neither the Ports of Hueneme, Long Beach, Los Angeles, nor San Diego Unified Port District nor any of the developments within these ports shall be considered public works.
- (c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.
- (d) All community college facilities. (Section 30114)

B. Sewer

Sewage treatment services are provided by the Municipal Improvement District. The plant was recently upgraded and expanded and improvements to the collection system included separating storm drains from the sewage collection system. Present plant capacity is about 2.2 million gallons per day (mgpd) on a thirty day average wet weather basis. Utilization is about .7 to .8 mgpd on the same basis (about .4 mgpd in dry weather). While substantial increases to the plant load and the passage of time will require monitoring and perhaps minor improvements to the treatment plan, it

is generally accurate to say that the capacity of the plant is to two to three times existing utilization.

The build out of land within the existing City Limits and even substantial annexations, while they might require additions to the collection systems, could be accommodated by the existing sewage treatment plant.

All of the area covered by this plan is within the Municipal Improvement District. Sewer mains are located to or near all undeveloped land covered by the plan with the exception of the flat lands on the north bank of the river in the Noyo Basin. It is anticipated that any new development would pay for any sewer system improvements needed to service that development. While sewer mains are currently in place in the Woodward Street area, many of the homes there are not hooked up to sewer. The City should support a program of encouraging homes in that area to hook up to sewer, so that eventually all of them are hooked up.

C. Water

Running water is provided by the City itself. The City has a water allocation from the Noyo River of 3 to 3.5 mgpd. Newman Gulch, from which the City also draws water, has a significantly more limited supply potential and would require minor improvements to increase the existing supply capabilities. The existing capacity of their supply, treatment, storage, and delivery system is about 1.75 mgpd. That compares with an existing consumption of about 1.5 million gallons per day. In general, their supply is adequate; although, improvements to pumping facilities would be needed for substantial increases in capacity. The same may be said of the storage, treatment and distribution capacities -- relatively minor improvements, taken in small increments, can increase water capacity to the point where sewage capacity would then become the limiting factor.

In a technical report developed for Fort Bragg, several improvements to the City's water storage facilities were recommended, which are currently being implemented. These include an eastside water storage and pressure redistribution storage tank and changes in operating and maintenance procedures and standards. The proposed doubling of the storage tanks and other improvements (totaling a cost of 400 to 450 thousand dollars) are expected to increase their average daily capacity to about 2.0 to 2.25 mgpd. The City has applied for and received state funding for this project, which is scheduled for completion in November 1982.

Given this imminent expansion in water system capacity and assuming no expansion of service area, adequate water will be available to serve planned land uses in the City and its coastal zone.

D. Traffic and Circulation

1. General Considerations

Fort Bragg has the highest concentration of residences, hotel/motel rooms and campsites along the Marin, Sonoma and Mendocino Coasts. Fort Bragg is also unique, in that stretch of coast, in that its traffic peaks occur during the during the weekday commute hours. The "Highway

One Capacity Study," prepared for the California Coastal Commission, concluded that locally generated traffic constitutes the majority of traffic movement on Highway One. While other conclusions of that report have been called into question, that particular conclusion is consistent with other data, including peak hour traffic levels.

These facts indicate that Fort Bragg's traffic situation and problems are quite different from those found along the rest of the Mendocino Coast. For example, increases in recreation and visitor traffic would have relatively less impact on peak demand than elsewhere along the coast. Furthermore, the legislative mandate that State Highway Route One remain a "scenic two-lane road" does not apply to Fort Bragg proper, because it is not considered to be in a "rural area" covered by the Legislature's mandate. While there are many factors that could be used to determine an urban area (employment patterns, residential densities, types of land use, economic patterns, etc.), the United States Census Bureau defines cities of two thousand five hundred or more inhabitants as urban; that is probably one of the most widely used definitions.

Because of the differences in peak times, there is less of a conflict between expansion in recreational and local uses of highway capacity, than there is between expansions which might be needed to meet local demand, on the one hand, and the preservation of unique coastal values on the other. But as the legislature has made the distinction between standards for scenic rural areas and those for urban areas, the conflict between locally generated highway demand and unique coastal values is less than would be the case outside of Fort Bragg proper.

Because of its relatively isolated location, the Mendocino Coast is a more self sufficient trade area (economic unit) than, say, the Sonoma or Marin Coasts. In order to minimize the impact of urban services on the entire Mendocino Coast, they should, in general, be provided in Fort Bragg proper. This approach also reduces, to some extent, local traffic on Highway 1 and on highways linking the coast with inland urban centers.

Thus, rather than considering Highway 1 capacity an overall constraint on either local or visitor development, it should be looked at in that light only in specific areas of the City where otherwise appropriate visitor serving land uses might be preempted by land uses serving local needs. In such cases the balance must be struck in the community's land use designations.

2. Improving Service

As was pointed out in the Highway One Capacity Study, service can be improved either by increasing capacity or by reducing demand. Reducing demand can occur by reducing the need to travel, by reducing vehicle counts, by increasing persons per vehicle, or by shifting demand from peak to off-peak times. Concentrating and locating urban services efficiently can reduce the need to travel. Locating convenience commercial outlets and employment centers close to residential areas and clustering comparison commercial activities is one example of this.

Providing incentives to pedestrian activity is another example. Such design criteria were used in the recent revision of the City's General Plan.

The City, in its General Plan, proposes the adoption of the County's Bicycle Path Study for use in the City. The implementation of that study should include posting of appropriate signs and marking of bicycle lanes in some areas. Special pedestrian routes between visitor destinations could also be marked and publicized.

Beyond the major widening project already proposed by the State Department of Transportation for downtown Fort Bragg, the main focus of capacity improvements in Fort Bragg should be to achieve, to the greatest extent possible, uniform service levels and capacities throughout the City, rather than looking to new additional major capacity improvements. One of the largest bottlenecks in the area, and one destined to becoming increasingly important, is the area between the Noyo and Hare Creek bridges. Unfortunately, this is also an area where jurisdictions meet. It is imperative that the City of Fort Bragg, the County of Mendocino, the State Department of Transportation, and possibly the Office of Traffic Safety cooperate on a detailed highway improvement study for this area. In order to implement the specific design proposals produced in that study, development in the area should be called upon to pay a portion of the circulation system improvements needed. In the Implementation Phase, proposals should be developed for the specific benefit assessment district or other procedures and formulas to be used to structure those contributions.

Another method of improving circulation on Highway 1 would be limitations on and improved standards for highway access. It is already the case that some businesses' poor access arrangements are diminishing safety and capacity on Highway 1. Improved access standards and methods of applying those standards to existing problems should be developed by the City of Fort Bragg, in cooperation with the State Department of Transportation.

Other miscellaneous "spot" improvements will be needed to improve safety and capacity. They will include signalizations to smooth traffic flow and turning lane improvements (e.g., turning only lanes, occasional left turn limitations). These spot improvements should be minimized until after the Caltrans widening project is installed, since that project will seriously alter traffic patterns in downtown Fort Bragg.

Eventually, peak hour limitations may be needed. These should be viewed as being lower on the priority list for implementation than those measures mentioned above. They could include peak hour limitations on street parking, left turns, and the routing of truck traffic.

While substantial improvement in safety and capacity can be brought about by "fine tuning" the circulation system through the use of the techniques listed above (and they should be used before more costly major public works projects), the following long-term capacity

improvements should receive increasing attention as time goes on. Since they all concern improvements to be made outside of the scope of this plan, they are not included here as Coastal Plan recommendations, but are only an advisory listing of capacity improvements that appear feasible, would provide capacity beyond that needed in the near term future, and should be examined in future planning programs.

1. An alternate river crossing on the Noyo River.
2. An alternate river crossing on Hare Creek.
3. Rerouting of center City traffic to distribute turning movements onto and off of Highway 1 more evenly throughout the central City (avoiding local activity centers and perhaps utilizing one way streets).
4. An alternate river crossing on Pudding Creek.
5. (If ever) widening of the Highway 1 crossings of the Noyo River and Hare Creek.

The feasibility and wisdom of those improvements, including their land use and environmental impacts, should be evaluated in a circulation study focusing on regional thoroughfare improvements. As an overall framework for such study, it would need to determine an appropriate balance of the following three general strategies for improving regional circulation in the area:

1. Improve the existing main thoroughfares -- Highways 1 and 20;
2. Provide additional alternate routes for regional (and local) traffic in the area; and/or
3. Stop or slow down the increase in traffic in the area as a whole.

E. Public Works Policies

Policy XV-1: Avoiding Traffic Problems in the Woodward Street Neighborhood. The City shall monitor traffic volumes on Myrtle and Woodward Streets, and should those volumes substantially increase, it shall develop and implement a plan for circulation improvements that will maintain levels of traffic volumes and safety appropriate for the neighborhood.

Policy VI-1/XV-2: New Development to Use City Water and Sewer. All new development constructed in the City Coastal Zone shall be connected to the City water and sewer systems. Limited exceptions to this requirement may be allowed in special or hardship circumstances.

Policy XV-3: Bicycle Circulation. The City shall implement the County's Bicycle Path Study within the City by posting signs and striping bicycle lanes where appropriate, in conformance with the policies and standards set forth in Caltran's publication, dated April 1972, "Bikeway Planning Criteria and Guidelines."

Policy III-16/XV-4: Marking Pedestrian Routes to Public Access Points. At appropriate places in the downtown area and especially at major visitor destinations (e.g., motels, the Skunk Train Depot, etc.), convenient pedestrian routes leading to coastal and river access points should be marked. The City shall seek non-local funding for this program.

Policy XV-5: Highway Access and Egress Limitations. The City shall work with the State Department of Transportation to develop improved highway access standards. Those standards shall include, but not be limited to: parking area stacking lanes; the number and placement of driveways in relation to intersections and turning lanes; on-street parking; access visibility; and curb, gutter, sidewalk and landscaping requirements.

Policy XV-6: Specific Design Plan for Circulation Improvements. The City shall request that the State Department of Transportation and the County of Mendocino join with it in preparing a specific design plan for long-term circulation improvements in the area along Highway 1 between the Noyo River and Hare Creek and out Highway 20 to beyond South Harbor Drive. An intersection improvement district shall be formed by the City Council with the invited participation of the County of Mendocino and all owners of parcels on which development would generate traffic onto Highway 1, between the Noyo and Hare Creek Bridges and to the intersection of South Harbor Drive with Highway 20. The purpose of the district shall be to prepare and assist in implementing a detailed development plan for intersection improvement that will accommodate traffic from developed parcels within the district. The district shall apportion the share of improvement costs above those that will be met by Caltrans and permits for development shall be issued only on receipt of a guarantee that the applicant's share will be paid.

Policy XV-7: Phasing of Development and Circulation Improvements at Highways 1 and 20. Any proposed new development between the Noyo River and Hare Creek which would increase traffic by more than one percent above levels existing at the project inception shall not be constructed until at least one of the following occurs:

1. The design of specific, long-term circulation improvements for the area have been developed and approved by the City of Fort Bragg, the County of Mendocino (to the extent that the improvements are outside the City Limits), and the State Department of Transportation;
2. A specific proposal for shared funding of the improvements has been approved by the governmental agencies and developer involved; or
3. The developer has committed to pay for his appropriate pro rata share of the improvement costs.

This existing policy is extended to include development within the proposed district located on Highway 20. (1/86)

Policy XV-8: All new development within the coastal zone shall be connected to the City water and sewer system. Limited exceptions may be allowed in special or hardship cases. (1/86)

Policy XV-9: The City shall determine, when it receives a Coastal Development Permit application, that adequate potable water is available to service the proposed facility, including during peak service demands. (1/86)

Policy XV-10: The improved public access and recreational facilities on the north side of the Noyo River shall be adequately marked for both vehicular and pedestrian traffic. (1/86)

Policy XV-11: The City shall encourage the formation of an annexation district for the North Highway 1 annexation area similar to the one proposed in the Todd/Noyo Point area. (1/86)

Policy XV-12: The Todd Point and Noyo Point annexation district areas shall apportion the share of improvement costs above those that will be met by Caltrans. Coastal Development Permits shall be issued only on receipt of a guarantee that the applicant's share will be paid. (1/86)

Policy XV-13: The City shall work with Caltrans to develop improved access to Highway 1. Further, the City shall continue to pursue the proposed improvements to Highway 1 by Caltrans between North Harbor Drive and Manzanita Street and other potential alternatives to improve and mitigate traffic access conditions on Highway 1. (1/86)

Policy XV-14: Any proposed new development between the Noyo River and Hare Creek and any proposed development on the two parcels located along Highway 20 which would increase traffic by more than one percent above existing levels, shall not be constructed until one of the following occurs: (1) The design of specific, long-term circulation improvements for the area have been developed and approved by the City of Fort Bragg, the County of Mendocino (to the extent that the improvements are outside the City limits) and Caltrans; (2) a specific proposal for shared funding of the improvements has been approved by the governmental agencies and developer(s) involved; or (3) the developer has committed to pay the appropriate pro rata share of the improvement costs. (1/86)

F. Authority

(1/86)

The Coastal Act defines public works as "production, storage, transmission and recovery facilities for water, sewage, telephone, etc., all public transportation facilities including streets and highways, publicly financed recreational facilities and community college facilities" (Section 30114).

The following Coastal Act Policies address the public works issues. "New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region,

state or nation, public recreation, commercial recreation and visitor-serving land uses shall not be precluded by other development" (Section 30254).

G. Issues

(1/86)

1. Sewer

(1/86)

The City of Fort Bragg receives sewage treatment services from the Municipal Improvement District. The capacity of the sewage treatment plant is about 2.2 million gallons per day (gpd) and the existing use level is about 700,000 to 8000,000 gpd based on a 30-day wet weather basis and about 400,000 gpd on a dry-weather basis. In general, the capacity of the plant is about 2-3 times greater than existing utilization. Therefore, sufficient plant capacity exists to service the newly annexed areas.

None of the areas recently annexed are serviced by the City's sewage treatment system. Extensions will be required to service these areas. An assessment district currently is being proposed to expand the sewage system, along with traffic improvements along Highway 1, to service the Todd Point and Noyo Point areas. An assessment district also should be formed for the North Highway 1 annexation area, i.e., north of the Pudding Creek River.

2. Water

(1/86)

Potable water is provided by the City via a 3-3.5 million gpd allocation from the Noyo River. The existing capacity of the supply, treatment, storage and delivery system is about 1.75 million gpd. However, all water from the Noyo River must be filtered due to the suspected presence of a parasite. During periods of peak use, i.e., the summer, sufficient potable water cannot be produced due to the constraints of water filtration. The City currently is preparing a Water System Master Plan Study for potable water to determine the methods of expanding the system. This system will require expansion to service the annexed areas.

3. Transportation

(1/86)

Most of the traffic on Highway 1 is generated from local residential and business areas within the City. The Mendocino Coast is a more self-sufficient economic unit than other portions of the northern California coast. This reduces, to some extent, traffic on Highway 1 into and out of the Fort Bragg area and on highways linking the coast with inland urban centers, i.e., few people commute from other cities into Fort Bragg on a daily basis.

The following are the most recent estimates of peak hour, peak month and annual average daily vehicle trips (ADT) along Highway 1 in the Fort Bragg area:

Hwy 1 and Jct of:	ADT		
	Peak Hour	Pk. Mo.	Annual
South of Hwy 20 junction	1,450	14,700	12,000
North of Hwy 20	2,000	20,500	16,700
South of Cypress Street	2,000	20,700	16,900
North of Cypress Street	2,050	20,800	17,000
South of Redwood Ave.	1,950	19,900	16,200
North of Redwood Ave.	1,950	20,100	16,400
Near Pudding Creek River	1,350	10,800	8,800
South of Airport Road	1,350	10,800	8,800
North of Airport Road	760	6,100	5,000

Source: "1984 Traffic Volumes on the California State Highway System", Caltrans, 1985.

The largest bottleneck is the area on Highway 1 between the Noyo and Hare Creek bridges. This portion of Highway 1 historically has had the fastest rate of traffic increase in the Northern California area, e.g., often as high as a 10% annual increase in traffic. The speed limit in this area is 45 miles per hour (mph) but average operating speeds are about 27 mph. Caltrans and the City of Fort Bragg are proposing a plan that would expand Highway 1 in this area and would consist of the following improvements: (1) signalization of the Highway 1/20 junctions and the Highway 1/Ocean View Drive intersection; and (2) addition of another lane on Hwy. 1 between the junction of Highway 20 and the Noyo River Bridge. This project is in the planning stages and no funds have been committed at this time. Funding from Caltrans is dependent on inclusion of the project in the State Transportation Improvement Program (STIP). City funding is contingent on the formation of an assessment district. Traffic tends to flow better through the main part of town due to the signalization of intersections. However, Highway 1 is one-lane in each direction through many portions of town which places a constraint on traffic flow.

A portion of Todd Point has been designated PF-CD, Public Facilities-Civic District, with the intention of developing the College of the Redwoods. The EIR prepared for this College estimated that approximately 1,700 students would attend the school and generate an estimated 1,700 average daily trips (ADTs). However, based on estimates by the Institute of Transportation Engineers (1979) an estimated 2,635 ADTs would be generated. The average daily trips along this portion of Highway 1 are estimated to be 19,000-20,000 ADTs. Thus, the college would contribute more than an estimated 10% increase in daily traffic in the area and further decrease the level of service in this area.

Access to the proposed College facility would be Highway 1 to Ocean View Drive. Current traffic along Ocean View Drive is generated from scattered residences as well as from visitors to the coastal bluffs on Todd Point. The average daily trips on Ocean View, taken in 1980, were 739. As currently proposed, all traffic would use Ocean View Dr. to access the campus. This will increase the traffic on this street significantly. This road must be improved to accommodate the college generated traffic.

No other proposed projects are known for the annexed areas. The owner of the parcel zoned for "Planned Development" in Todd Point, on the

south bank of the Noyo River, has expressed interest in developing a hotel complex. Little information is available at this time on this project and the amount of traffic generated by this facility will depend on the size of the facilities. However, this parcel may be unsuitable for development due to a number of environmental constraints.

Other land use designations in the Todd Point area also will generate traffic; the amount will depend on the specific project. For example, the highway visitor-serving commercial designation has been given to that area along Highway 1 and the garden apartment-condominium designation has been given to a portion near the proposed college. The traffic generated by such facilities can range from minor to significant.

The original LUP discussed a major widening project which was proposed by Caltrans and the City for downtown Fort Bragg. The main focus of this project was for capacity improvements to achieve uniform service levels and capacities throughout the City, e.g., signalization of intersections, addition of turn lanes, etc. This project was abandoned by the City. However, Caltrans and the City currently are proposing to signalize certain City intersections along Highway 1, e.g., at Cypress Street, and realign key areas of Highway 1 between North Harbor Drive and Manzanita Street. Other improvements would include storm drain improvements and elimination of left turns from North Harbor Drive onto Highway 1, i.e., onto the Noyo Bridge. This project has not been included in a Caltrans 5-year STIP at this time.

Limitations on and improved standards for highway access would improve safety and circulation on Highway 1. Other improvements which would improve circulation include addition of turn lanes, signalization of intersections, proper phasing between signals, etc. Peak hour limitations could also improve traffic flow and include restrictions on parking, left turns, rerouting truck traffic, etc.

Traffic along Highway 1 north of Pudding Creek is less than in other portions of the City. There only is one lane in each direction along this portion of Highway 1. The LUP designations may add to the traffic volume but probably not by a significant amount. Additional development may increase the traffic safety hazards and decrease the flow by increasing the number of turns. Improvements to traffic flow/safety in this area should be considered, e.g., left turn lanes.

XVI. INDUSTRIAL AND ENERGY DEVELOPMENT

A. Legal and Policy Framework

Coastal Act policies relative to industrial and energy development are set out below.

The Legislature further finds and declares that, notwithstanding the fact electrical generating facilities, refineries, and coastal-dependent developments, including ports, and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the State. (Section 30001.2)

Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible. (Section 30260)

Section 30250(b) requires that "...where feasible, new hazardous industrial development shall be located away from existing developed areas...." And Sections 30261 through 30264, and 30232 of the Coastal Act contains provisions regulating the development, location, expansion, and continued operation of tanker facilities, terminals, offshore and onshore oil and gas facilities, refineries and power plants, as well as other hazardous industrial development.

B. Existing Conditions

Within the Fort Bragg City Limits, most of the designated industrial land is located west of Main Street, between Pudding Creek and the City Limits (where they extend west from Hazel Street); and is almost exclusively owned by Georgia-Pacific Corporation. A small pocket of industrially zoned land is also located east of Georgia-Pacific's main property and north of the "West of Main Street" residential area. The remaining areas designated for industrial use in the General Plan are either outside the City Limits or outside the Coastal Zone. The commercial and industrial land designated HD (Harbor District), along the Noyo River in the vicinity of the harbor, is outside of the present City Limits and is being addressed in the Mendocino County LCP.

C. Analysis and Proposals

According to the Coastal Energy Impact Program Report, Development

Scenarios and Siting Options, prepared for Mendocino County as part of its energy facility siting process, Noyo Harbor does not meet the requirements of an all weather harbor and dock facility necessary for the siting of an onshore energy support base for OCS activities. The construction of a breakwater would be necessary before a service base could be installed. In addition, the depth limit for channel dredging within Noyo Harbor makes the site infeasible for supply boat trips although smaller crew boats could be accommodated. Such accommodation, however, would displace existing and the 75 planned new berths for commercial fishing use. This plan hereby incorporates the analysis and findings of the CEIP report and this considers onshore facilities to support offshore oil and gas development inappropriate for Noyo Harbor.

The Land Use Plan proposes a new coastal dependent industrial area for the City, in the flatlands on the bank of the Noyo River, near the end of South Street. The type of activity proposed there is limited to water-dependent or related commercial and light industrial uses (e.g. boat launching, mooring, fueling and repair, fish processing, marine supply, and limited restaurants). This type of commercial activity is further limited in its scale because of traffic and access constraints and the need for a major portion of the area to be devoted to mitigation of changes to biological habitats. A third limiting factor is the need for a Noyo Basin plan before the scale of any proposed facilities could be determined to be compatible with existing marine activity in the harbor basin.

D. Industrial and Energy Development Policies

Policy VIII-2/XVI-1: Land Use on the North Bank of the Noyo. All lands on the north bank of the Noyo River, within the City Limits and below 25 feet above mean sea level, shall be reserved for commercial fishing facilities, other coastal dependent industry and boating facilities with wetlands restoration, if any, except for lands:

1. Required to be maintained for riparian habitat values; and,
2. Needed to meet access requirements set out in Chapter III.

Policy XVI-2: Standards for Noyo Basin Industrial Development. Industrial development in the Noyo Basin shall:

1. Be limited to coastal-dependent uses, with minimal support or coastal-related uses, with priority to commercial fishing activities;
2. Not generated excessive traffic on City collectors, such as South Street and Cypress Avenue;
3. Adhere to the riparian restoration, preservation and mitigation measures set out elsewhere in this LCP;
4. Not interfere with existing coastal-dependent industry, especially commercial fishing;
5. Not interfere with the access proposals of this LCP; and,

6. Be consistent with the proposed Noyo Basin Plan, should such a plan be developed and adopted, and other Land Use Plan policies.

Policy XIV-2/XVI-3: Industrial Development Near Visitor Sites. The City shall require that any new industrial development sited next to visitor serving land uses and facilities, including public accessways, be designed so as to minimize its visual impact on the visitor serving land uses and facilities.

E. Authority

(1/86)

The following sections of the Coastal Act deal with industrial and energy development. The act states that even though industrial development may have significant impacts on coastal resources or access, "it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the State" (Section 30001.2).

"Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section, and Sections 30261 and 30262 if: (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible" (Section 30260).

Other applicable sections include 30250, 30261-30264 and 30232.

F. Issues

(1/86)

Several new industrial areas have been annexed into the coastal zone within the City limits. The Georgia-Pacific log yard is part of the recent Noyo Point annexation. The entire GP facility now is within the City limits and constitutes a large portion of land within the coastal zone in the City of Fort Bragg.

New industrial areas also have been annexed to the City in the north Highway 1 area. Two parcels have been zoned for limited industry and one parcel for heavy industry. The heavy industry parcel is the location of the existing Baxman Gravel Company. Several other industries are located in this area including the Eastman Transportation Company. These areas are designated as IL-SC or IH-SC (see Figure 1) which allow for either limited or heavy industry limited by the scenic corridor designation which means they must undergo scenic review.

(07/92)

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XVII. MAP EXPLANATIONS AND LAND USE SUMMARY

A. Introduction

This Chapter will describe briefly the "Coastal Environment" and "Coastal Land Use" maps, and explain the land use classifications and "Special Review Areas" used on those maps. The reader should understand that important policies and specific plan proposals are included in the preceding chapters and may not be suited for graphic display on the coastal plan maps (e.g. development standards). The reader is especially referred to the General Plan "Environmental Constraints" map, which contains especially important information on steep slopes and floodplains.

The land use classifications contained in Section D of this Chapter are more specific than would normally occur in a generalized land use planning document. They approach the specificity normally contained in a zoning ordinance, because that level of specificity is required by the Coastal Commission for land use plans.

In both the land use classifications and the actual designation of proposed land uses, consistency with the existing General Plan and the City Zoning Ordinance have been a goal, but one which is clearly subordinate to carrying out the policies of the Coastal Act.

The Coastal Environment Map generally portrays the location of environmentally sensitive habitat areas. However, if there is any question as to the precise location of such areas, the boundary shall be determined on a case-by-case basis. This determination shall be based on the definitions in the Land Use Plan and in addition, for wetlands, on U.S. Fish and Wildlife Service definitions and upland boundary criteria, and shall be made in cooperation with the Department of Fish and Game.

B. Coastal Land Use Map

The Coastal Land Use Map shows designated land uses only for the area both within the City Limits and within the Coastal Zone. The land use category abbreviations are shown on the legend and are described more fully in Section D of this Chapter. Land uses are also strongly effected and restricted by environmental factors shown on the "Coastal Environment" and General Plan "Environmental Constraints" maps. The former has been prepared as part of this planning program, the latter is part of the existing City General Plan. In addition to the generalized land use categories, more specific policies concerning land use are set out in the various chapters of this report.

C. Coastal Environment Map

The Coastal Environment Map has three primary purposes:

1. To show coastal access features.
2. To designate major environmentally sensitive habitat areas.

3. To designate areas requiring special review of coastal impacts.

On the map, lateral access along the shoreline (including bluff top access) is shown with a series of dots. Vertical access to the shoreline is shown with a series of arrows. Those access features are further described in Chapter III of this report.

The locations of special coastal resources or features are indicated with an asterisk and further labeled on the map itself. Those coastal resources, as well as provisions required for their protection are further discussed in previous chapters.

Special review areas are also designated on the Coastal Environment Map. Developments within those areas will require a special review procedure focusing on the coastal resource or sensitivity identified by the abbreviation. Special review areas are further explained in Section E of this Chapter.

D. Land Use Classifications

1. USF -- Urban Single Family Residential

- a. Intent. This classification is the predominate residential pattern in Fort Bragg at present. The classification is intended to be used in areas of the City where traditional single family dwellings are appropriate. Contemporary subdivision standards including clustering may also be applied to achieve aesthetic, cost, and energy conservation goals.
- b. Primary Uses. Primary uses include: single family dwellings; public parks, schools, and other public facilities; crop and tree farming; one secondary dwelling unit per lot in conjunction with one single family residence subject to various zoning provisions (pursuant to Government Code Sections 65852.1 and 65852.2).
- c. Secondary Uses. Those are: churches; home occupations; private schools; non-commercial recreation facilities; secondary living units; planned unit and cluster development; public buildings and quasi-public uses, eg. public utilities.
- d. Intensity. Three to six dwelling units per acre shall be allowed on the developable part of parcels.

2. DTM -- Duplex-Triplex Multi-family

- a. Intent. The intent of this land use category is to recognize a pattern of second units on numerous City lots. This pattern is to be continued under careful developmental control so that substandard or illegal units are avoided and present units brought up to City standards. The purpose is not to discourage such second units, but to limit them to situations where alley traffic, building and health regulations, or other valid development standards can be accommodated. Duplex/triplex opportunities are designed, in part, to serve low and moderate income housing

demands, including those special groups, e.g., elderly, students, and single persons, and to do this within the private market and in a way that integrates such special groups into the community.

- b. Primary Uses. Primary uses include: single-family dwellings; two and three-family dwellings; rooming and boarding houses; public parks, schools and other public facilities; crop and tree farming; one secondary dwelling unit per lot in conjunction with one single family residence subject to various zoning provisions (pursuant to Government Code Sections 65852.1 and 65852.2).
- c. Secondary Uses. Those are: churches; home occupations; private schools; non-commercial recreation facilities; public buildings; planned unit or cluster development and quasi-public uses, eg. public utilities.
- d. Intensity. Six to twelve dwelling units per acre are to be allowed in these areas. Where a second, auxiliary residence is present on a lot located in a predominately single family dwelling neighborhood, it is to be of a size and design that clearly makes it subordinate to the primary residential structure.

3. GAC -- Garden Apartment/Condominium

- a. Intent. This classification is designed to accommodate open plan developments on smaller acreages where open space and amenities can be provided. It is particularly suited for areas in which scenic and other environmental factors call for especially sensitive placement of development. For example, in bluff development, units should be clustered away from the bluffs to provide setbacks from geologically unstable soils and riparian vegetation, and to allow for the maintenance of natural land forms and appropriate water runoff patterns. The increased density is intended to compensate for the required additional design sensitivity and to allow for lower cost home ownership and rental opportunities in environmentally desirable areas.
- b. Primary Uses. Those are: single family dwellings of the specified intensity; public parks and schools; crop and tree farming; one secondary dwelling unit per lot in conjunction with one single family residence subject to various zoning provisions (pursuant to Government Code Sections 65852.1 and 65852.2).
- c. Secondary Uses. Those are: multi-family residential projects at prescribed densities; schools and other public facilities; private schools; rooming, boarding and guest houses; private institutions; churches; home occupations; non-commercial recreational facilities, and public and quasi-public uses, eg. public utilities.
- d. Intensity. Six to fifteen dwelling units per acre are to be allowed on the developable portion of the parcel.
- e. Other Provisions. Developments in GAC areas will require that project sites be individually reviewed and evaluated to determine

the particular density, within the permitted range, that will be applied to the particular development site. Specific project design will also be the subject of review to ensure conformance with visual impact requirements of the Coastal Act. This can be accomplished through the use of planned development zoning.

4. UrM -- Urban Multi-Family Residential

- a. Intent. This residential land use is designed to encourage the assembly and economic use or reuse of urban parcels close to existing or future sources of employment and to provide a density incentive for investors to provide lower and moderate income rental and condominium housing.
- b. Primary Uses. Those are: conventional and cluster design multiple dwellings and dwelling groups; single-family dwellings; boarding, rooming and guest houses including bed and breakfast operations; public parks and schools; crop and tree farming; one secondary dwelling unit per lot in conjunction with one single family residence subject to various zoning provisions (pursuant to Government Code Sections 65852.1 and 65852.2). Public facilities are primary uses. Administrative, professional or medical/dental offices are primary uses when adjacent to or separated only by a street or alley from a commercial or industrial district.
- c. Secondary Uses. Those are: private schools; public and quasi-public facilities, eg. public utilities; non-commercial recreational facilities; private institutions; churches; home occupations; offices; and private schools; mortuaries; social halls; fraternal and social organizations; small animal hospitals; antique shops and offices in a residence. Health clubs with recreational/exercise facilities are secondary uses.
- d. Intensity. Fifteen to twenty-four dwelling units per acre are to be allowed.

5. CC -- Community Commercial

- a. Intent. Community Commercial centers are usually located at major interchange points and are able to serve several neighborhoods with a moderately broad choice of retail goods and services. They are essentially convenience and service in nature. They cater to customers arriving by automobile and are usually fifteen to twenty-five acres in size, with parking ratios approaching four to one. Because of their proximity to major thoroughfares they also serve visitors.
- b. Primary Uses. Those are: stores and other commercial enterprises including, but not limited to, barber shops, beauty salons, apparel, variety or drug stores; restaurants, grocery stores, dry cleaning and laundries; gift shops, antique shops and art galleries; commercial and non-commercial recreational facilities; public and quasi-public uses; professional and business offices; and public schools. A complete list of uses will be included in a

matrix in the City's zoning provisions.

- c. Secondary Uses. Those are: dwellings, and service stations.

6. GC -- General Commercial

- a. Intent. The general commercial district is similar to, but distinguished from downtown commercial in that the former is a less compact and intensive type of use and does not cater as well to the pedestrian shopping experience. It is characterized by larger display or storage areas, less intensive customer traffic per square foot of building space, and the arrival and departure of customers typically by vehicle.
- b. Primary Uses. Primary uses include, but are not limited to: automotive and service related outlets; retail contract sales stores; home improvement, paint or carpeting sales; offices; minor apparel and variety stores; and major food outlets. A complete list of uses will be included in a matrix in the City's zoning provisions.
- c. Secondary Uses. Major apparel and department stores would generally not be appropriate in this district; however, those uses, as well as variety and discount drug outlets may be allowed, typically on a use permit basis. Hotels, motels, restaurants; public and quasi-public uses, eg. public utilities; and commercial recreational facilities may also be allowed. A complete list of uses will be included in a matrix in the City's zoning provisions.

7. CBD -- Central Business District (Downtown Commercial)

- a. Intent. This classification includes the established and traditional central business district of Fort Bragg, that serves both a community-wide and regional trade area. Physically compact and more intensive than other shopping centers, its retail outlets are primarily comparative in nature.
- b. Primary Uses. Those include: professional and business offices; stores and other commercial enterprises, including apparel, department, variety, and drug stores; banks; public and private schools; barber shops; beauty salons; restaurants; grocery stores; dry cleaning and laundries. A complete list of uses will be included in a matrix in the City's zoning provision.
- c. Secondary Uses. Those uses allowed generally but not inclusively include primary and secondary uses allowed under CC, GC, HVC and ADM classifications, including hotels and residential uses. A complete list of uses will be included in a matrix in the City's zoning provisions.

8. HVC -- Highway Visitor Serving Commercial

- a. Intent. These areas cater to regional and visitor traffic. They often take the form of functional clusters, e.g., restaurants and

fast food outlets, motels, etc. Since customers typically arrive by automobile they are usually found along major arterials and near major highway connections. Where they occur as "strip commercial," near entry points to a community, these areas require special architectural and site design standards: garish signs should be avoided, access and egress should be accomplished in an orderly fashion, and landscaping should be used in a way that reinforces these areas' role as a transition between bucolic, natural areas and the City's urban center.

- b. Primary Uses. Primary uses include restaurants; hotels, motels, rooming, boarding and guest houses; commercial and non-commercial recreational facilities; grocery, deli and liquor stores; gift shops, antique shops and art galleries. A complete list of uses will be included in a matrix in the City's zoning provisions.
- c. Secondary Uses. Various service, office and automotive or vehicle oriented uses, as well as public and quasi-public uses. A complete list of uses will be included in a matrix in the City's zoning provisions.
- d. Other Provisions. Sign control and scenic corridor review shall be applied.

9. ADM -- Administrative Offices

- a. Intent. The purpose of this classification is to promote the functional grouping of professional and other offices, as well as other institutional uses with some related support commercial.
- b. Primary Uses. Included are: professional, administrative, institutional, utility, governmental, and health services; schools; and charitable organizations.
- c. Secondary Uses. Support commercial outlets related to primary uses may be allowed with a use permit, including motels and hotels, coffee shops, graphic and computer supplies and florists. A complete list of uses will be included in a matrix in the City's zoning provisions.

10. HD -- Harbor District

- a. Intent. This land use classification is characterized by the unique mix of commercial and industrial activities occurring in the Noyo River Basin. The intent of this plan is to provide for the continuation of that mix of activities in support of its functioning as a commercial fishing village and to protect and reserve parcels on, or adjacent to, the sea for coastal dependent and coastal related uses, which require such siting in order to function at all. Support commercial that is allowed is intended to be subordinate to the marine commercial and industrial uses, not to preempt them.
- b. Primary Uses. Commercial fishing facilities, fish processing

plants, ship building and boat repair, public docks, and marine services.

- c. Secondary Uses. Cold storage facilities; fishing piers; boat launching facilities; marine hardware; other minor harbor related uses such as offices supporting coastal dependent uses, small grocery stores, bars and restaurants; public utilities installations not including offices when supportive to the uses in the Harbor District.
- d. Other Provisions. Secondary uses must be limited in size, subordinate to the marine commercial and industrial uses and not be the primary use on a waterfront site.

11. I-L -- Light Industrial

- a. Intent. The light industrial classification is to provide districts for industrial uses limited either in size or intensity. Development standards of the zone support high design standards, consideration of relationship with surrounding non-industrial uses, and good appearance from highly used public rights-of-way and areas.
- b. Primary Uses:
 - (1) Administrative offices related to and in conjunction with other uses specified hereunder, and other larger scale corporate administrative offices which provide employment, but do not generate customers or clients, not including commercial sales or professional offices.
 - (2) Any light industrial or manufacturing use conducted wholly within an enclosed building and neither providing nor requiring any outdoor storage of raw or finished materials or products.
 - (3) Cabinet, furniture, light mill working or woodworking shops whose operation is conducted wholly within a building.
 - (4) Computer and data processing centers.
 - (5) Fuel distribution centers served by rail or truck where there is no outdoor storage of materials or products except in tanks.
 - (6) Research and development facilities whose operation is conducted wholly within a building.
 - (7) Sheet metal shops whose operation, including storage, is conducted wholly within a building.
 - (8) Truck terminals.
 - (9) Warehousing, van and storage, wholesaling and distribution operations conducted wholly within a building, including display rooms in conjunction with distributing and wholesaling operations only.
- c. Secondary Uses:
 - (1) Any of the above types of permitted building enclosed uses or operations when outdoor storage is desired or required.
 - (2) Any distributing or wholesale operation for which limited incidental retail sales are desired and which may be found appropriate by the Zoning Administrator as being compatible with the district.

- (3) Autobody repair and painting.
- (4) Construction, farming and logging equipment sales and service, including rental.
- (5) Lumber yards for retail sales, not including mills.
- (6) Any use similar to those specified above which the Zoning Administrator finds to conform to the Purpose and Intent of Chapter 18.32 and which they find to be appropriate to and compatible with the district.
- (7) Animal kennels and animal hospitals with boarding facilities.

12. I-H -- Heavy Industrial

- a. Intent. The heavy industrial classification is currently limited to the Georgia-Pacific lumber mill and a few adjacent properties. A continuation of the heavy industrial activity currently underway on those sites is intended.
- b. Primary Uses. Allowed are: manufacturing, fabrication, repair, agricultural and forest products processing, storage, and distribution industries; as well as research and development laboratories, and living quarters for caretakers or watchmen; auto body repair and painting; sales, service and rental of construction, farming and logging equipment. All primary uses in the I-L (Light Industrial) designation are designated as primary uses in the I-H (Heavy Industrial) category. A complete list of uses is in the City's zoning provisions.
- c. Secondary Uses. Those are: Specified uses with outdoor operations; industrial support commercial; sand gravel and rock yards; concrete and asphalt products; and similar uses found appropriate by the Planning Commission and as listed in the City's zoning provisions.

13. RP -- Regional Park

- a. Intent. This land use category is to be applied to recreational areas of more than local interest.
- b. Allowable uses. Various recreational uses, consistent with any applicable management plan and with other Land Use Plan policies.

14. PF -- Public Facilities

- a. Intent. The public facility designation is intended to apply to properties used by or to be used for public utility uses not including streets, alleys, easements or other such rights-of-way.

1. Planning Commission has been superseded by Zoning Administrator.

b. Primary Uses:

- (1) Public schools, parks and recreation areas, fairgrounds, civic centers and similar sites and uses, reservoir areas, historical sites and monuments.
- (2) Public utility facilities for local service.
- (3) Public utility warehouse and storage yards, pole yards, gas holders, substations, electric generating plants and similar public utility uses, provided that the route of any transmission line must be discussed in detail with the Zoning Administrator prior to acquisition of rights-of-way therefor.
- (4) Uses and structures which are incidental or accessory to permitted uses.

c. Secondary Uses:

- (1) Public cemeteries and similar uses.
- (2) Airport, refuse disposal areas, corporation yards and sewage disposal sites.
- (3) Vocational and technical education shop-classroom facilities, including woodshop, metal shop, autoshop and other similar uses; community centers; commercial and public recreation facilities.

E. Special Review Areas

Special review areas are designated on the map with abbreviations. Any proposed development on parcels which are located in whole or in part within the special review areas will require a report by a qualified professional as well as review of that report by the approving agency to ensure that Coastal Act and Local Coastal Program policies concerning the sensitive resource or feature are properly treated in the specific proposed development. These review requirements are in addition to the bluff hazard review noted in Chapter XI. The types of special review areas and required reports are as follows:

AR --- Archaeology. A report is to be prepared by a qualified archaeologist or anthropologist. The report shall identify and evaluate all archaeological and paleontological resources, assess the effects of the proposed development on those resources, and recommend resource preservation or mitigation measures. A copy of the report shall be transmitted to the State Historical Preservation Officer and the Cultural Resource Facility at Sonoma State University for their review and comment. They shall be requested to comment on all aspects of the report, including the recommended preservation and/or mitigation measures.

BRV --- Bluff/Riparian Vegetation. An assessment of the impact on bluff and riparian vegetation shall be undertaken by a qualified biologist. The assessment will rely on the definitions contained in Chapter IX, and will determine necessary buffers and other mitigation measures needed to protect environmentally sensitive habitat areas. Standards for determining the appropriate width of a buffer area are included in Appendix A.

RO --- Runoff. The impacts of runoff erosion, and natural landform modification shall be evaluated by a civil engineer. Where induced, runoff may have significant biological effects, review by a biologist will be necessary. The evaluation will identify mitigation measures necessary to minimize the adverse effects of runoff.

SV --- Special Vegetation. An assessment of the impact on rare and endangered plant species shall be undertaken by a qualified biologist. If the species noted in Chapter IX have been included on a statutory listing of rare and endangered plant species, then the assessment shall indicate which, if any, portions of the site may be developed, subject to the policies of Chapter IX. Otherwise, the assessment shall indicate what buffer areas and mitigation measures will avoid significant adverse impacts on plant habitat.

Such special studies may be accomplished before the submission of an application, as part of a focused or comprehensive environmental impact report, or as an independent document; however, in any case, the selection of the professional preparing the report must be with the approval of the agency approving the permit.

F. Zoning Classifications

(1/86)

1. R-1 - Residential One-Family

(1/86)

- a. Intent. This classification is the predominate residential pattern in Fort Bragg Bragg at the present time. The classification is intended to be used in areas of the City where traditional single family dwellings are appropriate. Contemporary subdivision standards including clustering also may be applied to achieve aesthetic, cost and energy conservation goals.
- b. Primary Uses. The primary uses of this classification include single family dwelling units, public parks and public schools.
- c. Secondary Uses. Secondary uses include churches, private schools, non-commercial recreational facilities, public buildings, planned units or cluster developments and public utilities.
- d. Development Standards:
 - (1) Single Family Dwelling. The minimum lot area is 6,000 feet in new subdivisions and no more than six lots per acre will be allowed. The minimum lot width is 50 feet and maximum lot depth is three times the lot width. The maximum ground coverage is 40%. The following yard minimums shall apply: (1) the front yard must be at least 25 feet, except that the front of a building may be no nearer than 25' to a City street; (2) the rear yards must be at least 20 feet, except 10 feet for a garage; and (3) the side yards must be at least 10% of the lot width on each side, except that no side yard may be less than five feet or need be more than twelve feet. The maximum building height is 35 feet.
 - (2) Planning Unit or Cluster Development. The net densities shall not exceed one unit per 7,260 square feet of net parcel area. All setback requirements shall be met along parcel boundaries, but other development standards within the project area may be less strict if approved by the Zoning Administrator as conditions of the use permit.

2. RS - Residential Suburban

(1/86)

- a. Intent. This classification is to provide for a suburban single-family residential zone which provides for very low density housing. This zone requires large lots and higher development standards.
- b. Primary Uses. Primary uses include single family dwellings (SFDs), public parks, public schools and crop and tree farming.
- c. Secondary Uses. Secondary uses include churches, home occupations, private schools, non-commercial recreation facilities, secondary living units, planned unit and cluster development, public buildings and quasi-public uses, e.g., public utilities.
- d. Development Standards. The following development standards shall apply: (1) the minimum lot area is 40,000 square feet; (2) the

minimum lot width is 100 feet; (3) the minimum lot depth is 200 feet; (4) the minimum lot setbacks are 25 feet in front, 20 feet in the rear and ten percent of lot width on each side, except that no side yard shall be less than 10 feet; (5) the maximum building height is 35 feet; and (6) the maximum ground coverage is 25 percent.

3. DTMR - Duplex-Triplex Multi-Family

(1/86)

- a. Intent. The intent of this land use category is to recognize a pattern of second units on numerous City lots. This pattern is to be continued under careful developmental control so that substandard or illegal units are avoided and present units brought up to City standards. The purpose is not to discourage such second units; but to limit them to situations where alley traffic, building and health regulations or other valid development standards can be accommodated. Duplex/triplex opportunities are designed, in part, to serve low and moderate income housing demands, including special groups, e.g., elderly, students and single persons, and to do this within the private market and in a way that integrates such special groups into the community.
- b. Primary Uses. Primary uses include single family dwellings, two and three family dwellings, rooming and boarding houses, public parks, schools and other public facilities and crop and tree farming.
- c. Secondary Uses. Secondary uses include churches, home occupations, private schools, non-commercial recreation facilities, public buildings, planned unit or cluster development, quasi-public uses, e.g., public facilities and multi-family development on lots larger than 7500 square feet.
- d. Density. Six to twelve dwelling units per acre are to be allowed in these areas, provided that development with a Floor Area Ratio (FAR = Total Floor Area/Net Lot Area) of 0.33 may be allowed in lieu of strict compliance with the above density range.

4. GAC - Garden Apartment/Condominium

(1/86)

- a. Intent. This classification is designed to accommodate open plan developments on smaller acreages where open space and amenities can be provided. It is particularly suited for areas in which scenic and other environmental factors call for especially sensitive placement of development. For example, in bluff developments, units should be clustered away from the bluffs to provide setbacks from geologically unstable soils and riparian vegetation and to allow for the maintenance of natural land forms and appropriate water runoff patterns. The increased density is intended to compensate for the required additional design sensitivity and to allow for lower cost home ownership and rental opportunities in environmentally desirable areas.
- b. Primary Uses. Primary uses are SFDs of the specified intensity, public parks and schools and crop and tree farming.
- c. Secondary Uses. Secondary uses include multi-family residential projects at prescribed densities, schools and other public facilities, rooming, boarding and guest houses, private

institutions, churches, home occupations, non-commercial recreational facilities and public uses.

- d. Density: Six to fifteen dwelling units per acre are to be allowed on the developable portion of the parcel. Development shall not exceed 15 dwelling units per acre within the coastal zone. See the zoning code for details on setbacks, minimum lot size, etc.
- e. Other Provisions. Developments in GAC areas will require that project sites be individually reviewed and evaluated to determine the particular density, within the permitted range, that will be applied to the particular development site. Specific project design also will be the subject of review to ensure conformance with visual impact requirements of the Coastal Act. This can be accomplished through the use of planned development zoning.

5. URM - Urban Multi-Family Residential

(1/86)

- a. Intent. This residential land use is designed to encourage the assembly and economic use or reuse of urban parcels close to existing or future sources of employment and to provide a density incentive for investors to provide lower and moderate income rental and condominium housing.
- b. Primary Uses. Primary uses include conventional and cluster design multiple dwellings and dwelling groups, SFDs, boarding, rooming and guest houses, including bed and breakfast operations, public parks and schools and crop and tree farming.
- c. Secondary Uses. Secondary uses include private schools, public and quasi-public facilities, e.g., public utilities, non-commercial recreational facilities, private institutions, churches, home occupations, offices, mortuaries, social halls, fraternal and social organizations, small animal hospitals, antique shops and offices in a residence.
- d. Density. Fifteen to twenty-four dwelling units per acre are to be allowed. However, Floor Area Ratios between 0.35 and 0.55 may be allowed in lieu of strict compliance with the above density range so long as it does not constitute an increase of more than 25%.

6. C-3 - Community Commercial

(1/86)

- a. Intent. Community Commercial centers are usually located at major interchange points and are able to serve several neighborhoods with a moderately broad choice of retail goods and services. They are essentially convenience and service in nature. They cater to customers arriving by automobile and are usually 15-24 acres in size, with parking ratios approaching 4 to 1. Because of their proximity to major thoroughfares they also serve visitors.
- b. Primary Uses. Primary uses are stores and other commercial enterprises including, but not limited to, barber shops, beauty salons, apparel stores, variety stores, drug stores, restaurants, grocery stores, dry cleaners and laundries, gift shops, antique shops, art galleries, commercial and non-commercial recreational

facilities, public and quasi-public uses, professional and business offices, and schools.

- c. Secondary Uses. Secondary uses include heavier or more strictly comparison shopping commercial operations, auto repair, racquetball and sports clubs, spas and service stations.

7. C-2 - General Commercial

(1/86)

- a. Intent. The general commercial district is similar to, but distinguished from downtown commercial in that the former is a less compact and intensive type of use and does not cater as well to the pedestrian shopping experience. It is characterized by larger display or storage areas, less intensive customer traffic per square foot of building space and the arrival and departure of customers typically by vehicle.
- b. Primary Uses. Primary uses include, but are not limited to, automotive and service related outlets, retail contract sales stores, home improvement, paint or carpeting sales, offices, minor apparel and variety stores and major food outlets.
- c. Secondary Uses. Major apparel and department stores would generally not be appropriate in this district, however, appropriate uses include variety and discount drug outlets, on a permit basis, hotels, motels, restaurants, public and quasi-public uses, e.g., public utilities, and commercial recreational facilities also may be allowed.

8. C-1 - Neighborhood Commercial

(1/86)

- a. Intent. This land use is designed and intended to serve the local neighborhood and does not have a broad service area. This area tends to have more pedestrian traffic.
- b. Primary Uses. Primary uses include, but are not limited to, bakeries, beauty and barber shops, dry cleaners, coffee shops, small medical buildings, florists, small stores, laundries, liquor stores, public parks, pharmacies, service stations, and shoe repair shops.
- c. Secondary Uses. Secondary uses include antique stores, banks, bicycle shops, car washes, private schools, churches, clothing stores, drug stores, drive-in restaurants, gas stations, hardware stores, nurseries, pet stores, quasi-public uses and shoe stores.

9. CBD - Central Business District (Downtown Commercial)

(1/86)

- a. Intent. This classification includes the established and traditional central business district of Fort Bragg, that serves both community wide and regional trade area. Physically compact and more intensive than other shopping centers, its retail outlets primarily are comparative in nature.
- b. Primary Uses. Primary uses include professional and business offices, stores and other commercial enterprises including apparel, department, variety and drug stores, banks, public and private

schools, barber shops, beauty salons, restaurants, grocery stores, dry cleaning and laundries.

- c. Secondary Uses. Secondary uses include, but are not limited to, primary and secondary uses allowed under CC, GC, HVC and APO classifications.

10. HVC - Highway Visitor-Serving Commercial

(1/86)

- a. Intent. These areas cater to regional and visitor traffic. They often take the form of functional clusters, e.g., restaurants and fast food outlets, motels, etc. Since customers typically arrive by automobile they are usually found along major arterials and near major highway connections. Where they occur as "strip commercial", near entry points to a community, these areas require special architectural and site design standards; garish signs should be avoided, access and egress should be accomplished in an orderly fashion and landscaping should be used in a way that reinforces these areas' role as a transition between bucolic, natural areas and the City's urban center.
- b. Primary Uses. Primary uses include restaurants, hotels, motels, rooming, boarding and guest houses, commercial and non-commercial recreational facilities, grocery stores, delicatessens, liquor stores, gift shops, antique shops and art galleries.
- c. Secondary Uses. Secondary uses include various service office and automotive or vehicle oriented uses as well as public and quasi-public uses.
- d. Other Provisions. Sign control and scenic corridor review shall be applied.

11. APO - Administrative-Professional Office

(1/86)

- a. Intent. The purpose of this classification is to promote the functional grouping of professional and other offices, as well as other institutional and some related support commercial uses. Appropriate uses include service oriented businesses rather than sales offices.
- b. Primary Uses. Primary uses include professional, administrative, institutional, utility, governmental and health services, schools and charitable organizations.
- c. Secondary Uses. Secondary uses include support commercial outlets related to primary uses, under a use permit, including motels and hotels, coffee shops, graphic and computer supplies and florist shops.

12. HD - Harbor District

(1/86)

- a. Intent. This land use classification is characterized by the unique mix of commercial and industrial activities occurring in the Noyo River Basin. The intent of this plan is to provide for the continuation of that mix of activities in support of its function as a commercial fishing village and to protect and preserve parcels on,

or adjacent to the sea for coastal dependent and coastal related uses which require such siting in order to function. Support commercial that is allowed is intended to be subordinate to the marine commercial and industrial uses, not to preempt them.

- b. Primary Uses. Primary uses include commercial fishing facilities, fish processing plants, ship building and boat repair, public docks and marine services.
- c. Secondary Uses. Secondary uses include cold storage facilities, fishing piers, boat launching facilities, marine hardware, other minor harbor related uses such as offices supporting coastal dependent uses, small grocery stores, bars and restaurants.
- d. Other Provisions. Secondary uses must be limited in size, subordinate to the marine commercial and industrial uses and not be the primary use on a waterfront site.

13. I-H - Heavy Industrial

(1/86)

- a. Intent. The heavy industrial classification is limited to the Georgia-Pacific lumber mill, log yard and a few adjacent properties. Also, the location of the Baxman Gravel Co. is given this designation. A continuation of the heavy industrial activity currently underway on those sites is intended.
- b. Primary Uses. Primary uses include manufacturing, fabrication, repair, agricultural and forest products processing, storage and distribution industries, research and development laboratories, living quarters for caretakers or watchmen, auto body repair and painting, sales, service and rental of construction, farming and logging equipment.
- c. Secondary Uses. Secondary uses includes outdoor operations, industrial support commercial, sand, gravel and rock yards, concrete and asphalt products and similar uses found appropriate by the Planning Commission.

14. I-L - Limited Industrial

(1/86)

- a. Intent. The limited industrial classification is designed to provide an industrial district where a high standard of design, site planning architecture and landscaping are required to minimize environmental and aesthetic problems often associated with industrial uses.
- b. Primary Uses. Primary uses include administrative offices, industrial uses contained within buildings and not requiring outdoor storage of raw or finished products, cabinet, furniture, light mill working or woodworking shops, computer and data processing centers, fuel distribution centers, research and development facilities, sheet metal shops, truck terminals, and warehouse, van and storage, wholesaling and distribution operations, e.g., display rooms.
- c. Secondary Uses. Secondary uses include any of the above permitted uses that require outdoor storage, retail sales, auto body repair

and painting, construction, farming and logging equipment sales and service, lumber yards and animal kennel and hospitals.

15. PF-CD - Public Facility Civic District

(1/86)

- a. Intent. This classification is intended to be applied to properties which are used for, or proposed to be used for public purposes or specified public utility purposes, e.g., colleges.
- b. Primary Uses. Primary uses include public schools, parks and recreation areas, fairgrounds, civic centers and similar sites and uses, public highways, reservoir areas, historical sites and monuments, and public utility facilities for local service.
- c. Secondary Uses. Secondary uses include cemeteries, airports, refuse disposal areas, corporation yards and sewage disposal sites, vocational and technical education shop-classroom facilities, community centers and commercial and public recreational facilities.
- d. Density. The allowable density of the College of the Redwoods shall be a maximum of 80,000 square feet.

16. PD - Planned Development

(1/86)

- a. Intent. The Planned Development designation is intended to apply to parcels of undeveloped land which are suitable for containing a completely planned development. Specific considerations shall be given to whether the site is physically suited to the type or density of development proposed and whether the development is likely to cause substantial environmental damage.
- b. Primary Uses. Any use or combination of uses which are so arranged or designed as to result in an overall development in conformity with standards, intents and purposes of the Local Coastal Plan may be permitted with a use permit. Such development shall be permitted in accordance with all applicable policies of this LCP. Primary uses include recreational and visitor serving facilities, such as parks and recreational areas, hotels, motels, bed & breakfast accommodations, restaurants, non-commercial and commercial recreational activities and public parks.
- c. Secondary Uses. Secondary uses include residential development, small speciality stores, professional and business offices, public buildings, gift shops, antique shops and art galleries.
- d. Requirements. Applications for use permits in the PD zone shall include a plan of development and the following:
 - (1) Topography of land and contour intervals.
 - (2) Proposed access, traffic and pedestrian ways.
 - (3) Lot design and easements.
 - (4) Areas designed for parks, parkways, playgrounds, school sites, public or quasi-public buildings and other such uses.
 - (5) Areas proposed for commercial or industrial uses, off-street parking, multiple and single-family dwellings and all other proposed uses.

- (6) Proposed location of buildings on the land, including all dimensions, setback and yard areas.
- (7) Proposed landscaping, fencing and screening.
- (8) Other details and plans required by the Zoning Administrator and this LCP, i.e., archaeological studies, bluff stability studies and scenic corridor evaluations.

e. Density. If residential development is the proposed use in PD zoned areas within the coastal zone, a maximum density of six units per acre will be allowed.

17. FP - Floodplain

(1/86)

- a. Intent. This classification is to be used in floodway areas which have been inundated by overflow floodwaters in the past and which may reasonably be expected to be inundated by such floodwaters in the future.
- b. Primary Uses. Primary uses include general agricultural uses, nurseries and greenhouses, grazing, pasturing and animal husbandry, public stables, docks, boathouses and golf courses.
- c. Secondary Uses. Secondary uses include buildings which are temporary and can be protected from floodwaters and will not impede the flow of such waters, e.g., residential uses and farm dwellings, commercial and industrial uses and recreational uses requiring enclosed buildings.

18. OS - Open Space

(1/86)

- a. Intent. This classification is intended to be applied to properties which should be preserved in a natural state and/or to provide open space buffer areas in which uses are restricted to recreational, conservation or light agricultural uses, including accessory and public service uses.
- b. Allowable Uses. Allowable uses include measures to promote conservation of natural terrain and vegetation and to reduce fire and erosion hazards; parks, playgrounds and open public areas and related facilities, e.g., playfields, trails, bike paths, picnic sites and similar uses.
- c. Conditions. The City must find that a proposed use is consistent with the public access requirements and any approved management plan for the parcel in question.

19. SC - Scenic Corridor Combining

(1/86)

- a. Intent. This combining zone is applied to land areas adjacent to scenic highways to preserve their scenic qualities and the public interest therein.
- b. Requirements. The following requirements shall be applied to any SC classification.

- (1) No general advertising, wrecking, or junkyards, refuse disposal sites or open displays of used cars, goods, machinery or equipment shall be permitted.
- (2) No use permits shall be issued for any uses which conflict with the intent and purpose of the "Standards for Corridor Protection", development by the California Department of Public Works or other such standards adopted by the City Council.
- (3) Any use permit approved by the Scenic Review Committee shall be issued subject to conditions and guarantees which will protect and preserve the scenic and aesthetic characteristics existing in the vicinity of the proposed use.
- (4) The City shall require new development or remodeling of an existing building which modifies 50 percent or more of any exterior wall that is visible from a public street or highway, to file a site plan. This plan shall include proposed setbacks, vehicular access alignments, parking, buildings and a preliminary landscape plan. Plans for new development shall include accurate scale elevation drawings indicating front and side building elevation, material, size and shape and the location, size, color, shape and illumination of each proposed sign.
- (5) The Scenic Review Committee must approve the site plan and submitted drawings prior to the issuance of a Coastal Development Permit. The Scenic Review Committee shall approve an applicant's site plan and submitted drawings if it finds that the proposed structure meets the following criteria:
 - (a) The structure shall be so designed that it, in general contributes to the character and image of the City as a place of beauty, spaciousness and balance.
 - (b) The exterior design and appearance of the structure is not of a quality or scale so as to cause the nature of the neighborhood to materially depreciate in appearance and values.
 - (c) The structure is in harmony with proposed adjacent development in the area and the Scenic Corridor Zone and in conformity with this LCP.

20. Special Review Areas

(1/86)

Special review areas which have been annexed to the City are designated on the Coastal Environment Map with abbreviations (see Figure 2). Any proposed development on parcels which are located in whole or in part within the special review areas will require a report by a qualified professional as well as review of the report by the City to ensure that Coastal Act and Local Coastal Program policies concerning the sensitive resources or features are properly treated in the specific proposed development. These review requirements are in addition to the bluff hazard review.

Special studies may be completed prior to submission of an application, as part of an environmental impact report, or as an independent document. In any case, the selection of the professional preparing the report must be with the approval of the permitting agency. A discussion of the special review areas and required reports follows:

- a. Archaeology Review (AR). A report must be prepared by a qualified archaeologist or anthropologist. The report shall identify and

evaluate all archaeological and paleontological resources, assess the effects of the proposed development on those resources and recommend resource preservation and mitigation measures. A copy of the report shall be submitted to the State Historical Preservation Officer and the Cultural Resource Facility at Sonoma State University for their review and comment. They shall be requested to comment on all aspects of the report, including the recommended preservation and/or mitigation measures.

- b. Bluff/Riparian Vegetation (BRV). An assessment of the impact on bluff and riparian vegetation shall be undertaken by a qualified biologist. The assessment will determine necessary buffers and other mitigation measures needed to protect environmentally sensitive habitat areas.
- c. Runoff (RO). The impacts of runoff, erosion and natural landform modification shall be evaluated by a civil engineer. Where induced, runoff may have significant biological effects, a review by a biologist shall be required. The evaluation will identify mitigation measures necessary to minimize the adverse effects of runoff.
- d. Special Vegetation (SV). An assessment of the impact on rare and endangered plant species shall be undertaken by a qualified biologist. If the species noted in Chapter II have been included on a statutory listing of rare and endangered plant species, then the assessment shall indicate which portions of the site may be developed, subject to the policies contained herein. Otherwise, the assessment shall indicate what buffer areas and mitigation measures will avoid significant adverse impacts on plant habitat.
- e. Wetlands (W). An assessment of the location and extent of wetlands and associated habitats and potential impacts of development shall be undertaken by the Department of Fish and Game or a qualified biologist. Necessary buffers and other mitigation measures needed to protect wetlands shall be determined. The Department of Fish and Game shall be consulted during the course of any such studies and be provided an opportunity to comment. Determination of the extent and location of wetland habitat areas shall be the responsibility of the permitting agencies, i.e., the City and the Coastal Commission.

XVIII. APPENDIX: CRITERIA FOR ESTABLISHING BUFFER AREAS

A buffer area provides essential open space between the development and the environmentally sensitive habitat area. The existence of this open space ensures that the type and scale of development proposed will not significantly degrade the habitat area. Therefore, development allowed in a buffer area is limited to access paths, fences necessary to protect the habitat area, and similar uses which have either beneficial effects or at least no significant adverse effects on the environmentally sensitive habitat area. A buffer area is not itself a part of the environmentally sensitive habitat area, but a "buffer" or "screen" that protects the habitat area from adverse environmental impacts caused by the development.

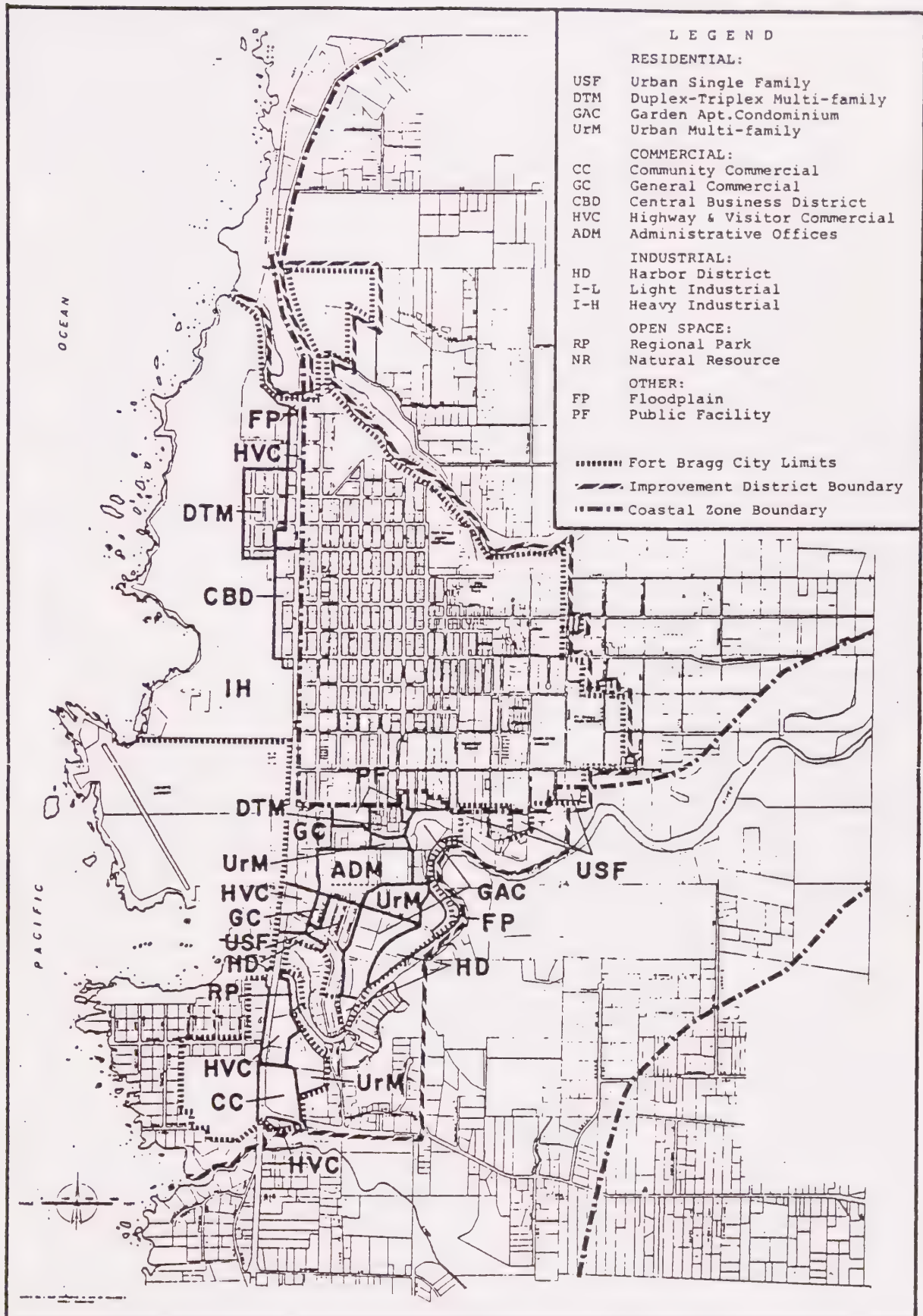
A buffer area should be established for each development adjacent to environmentally sensitive habitat areas based on the standards enumerated below. The width of a buffer area will vary depending upon the analysis. The buffer area should be a minimum of 50 feet for small projects on existing lots (such as one single family home or one commercial office building) unless the applicant can demonstrate that 50 feet is unnecessary to protect the resources of the habitat area. If the project involves substantial improvements or increased human impacts, such as a subdivision, a much wider buffer area should be required. For this reason the guideline does not recommend a uniform width. The appropriate width will vary with the analysis based upon the standards.

For a wetland, the buffer area should be measured from the landward edge of the wetland. For a stream or river, the buffer area should be measured landward from the landward edge of riparian vegetation or from the top edge of the bank (e.g., in channelized streams). Maps and supplemental information may be required to determine these boundaries. Standards for determining the appropriate width of the buffer area are as follows:

1. Biological significance of adjacent lands. Lands adjacent to a wetland, stream or riparian habitat area vary in the degree to which they are functionally related to these habitat areas. That is, functional relationships may exist if species associated with such areas spend a significant portion of their life cycle on adjacent lands. The degree of significance would depend upon the habitat requirements of the species in the habitat area (e.g., nesting, feeding, breeding or resting). This determination requires the expertise of an ecologist, wildlife biologist, ornithologist or botanist who is familiar with the particular type of habitat involved. Where a significant functional relationship exists, the land supporting this relationship should also be considered to be part of the environmentally sensitive habitat area, and the buffer area should be measured from the edge of these lands and be sufficiently wide to protect these functional relationships. The buffer should be extended from the edge of the wetland, stream or riparian habitat (for example) which is adjacent to the proposed development (as opposed to the adjacent area which is specifically related ecologically).
2. Sensitivity of species to disturbance. The width of the buffer area should be based, in part, on the distance necessary to ensure that the most sensitive species of plants and animals will not be disturbed significantly by the permitted development. Such a determination should be based on the

following:

- a. Nesting, feeding, breeding, resting or other habitat requirements of both resident and migratory fish and wildlife species.
 - b. An assessment of the short-term and long-term adaptability of various species to human disturbance.
3. Susceptibility of parcel to erosion. The width of the buffer area should be based, in part, on an assessment of the slope, soils, impervious surface coverage, runoff characteristics, and vegetative cover of the parcel and to what degree the development will change the potential for erosion. A sufficient buffer to allow for the interception of any additional material eroded as a result of the proposed development should be provided.
 4. Use of natural topographic features to locate development. Hills and bluffs adjacent to environmentally sensitive habitat areas should be used, where feasible, to buffer habitat areas. Where otherwise permitted, development should be located on the sides of hills away from environmentally sensitive habitat areas. Similarly, bluff faces should not be developed, but should be included in the buffer area.
 5. Use of existing cultural features to locate buffer zones. Cultural features (e.g., roads and dikes) should be used, where feasible, to buffer habitat areas. Where feasible, development should be located on the side of roads, dikes, irrigation canals, flood control channels, etc., away from the environmentally sensitive habitat area.
 6. Lot configuration and location of existing development. Where an existing subdivision or other development is largely built out and the buildings are a uniform distance from a habitat area, at least that same distance will be required as a buffer area for any new development permitted. However, if that distance is less than 100 feet, additional mitigation measures (e.g., planting of native vegetation which grows locally) should be provided to ensure additional protection. Where development is proposed in an area which is largely undeveloped, the widest and most protective buffer area feasible should be required.
 7. Type and scale of development proposed. The type and scale of the proposed development will, to a large degree, determine the size of the buffer area necessary to protect the environmentally sensitive habitat area. For example, due to domestic pets, human use and vandalism, residential developments may not be as compatible as light industrial developments adjacent to wetlands, and may therefore require wider buffer areas. However, such evaluations should be made on a case-by-case basis depending upon the resources involved, and the type and density of development on adjacent lands.



*CITY OF FORT BRAGG
 LOCAL COASTAL PROGRAM*

COASTAL LAND USE

EFFECTIVE JULY 14, 1983

(07/92)

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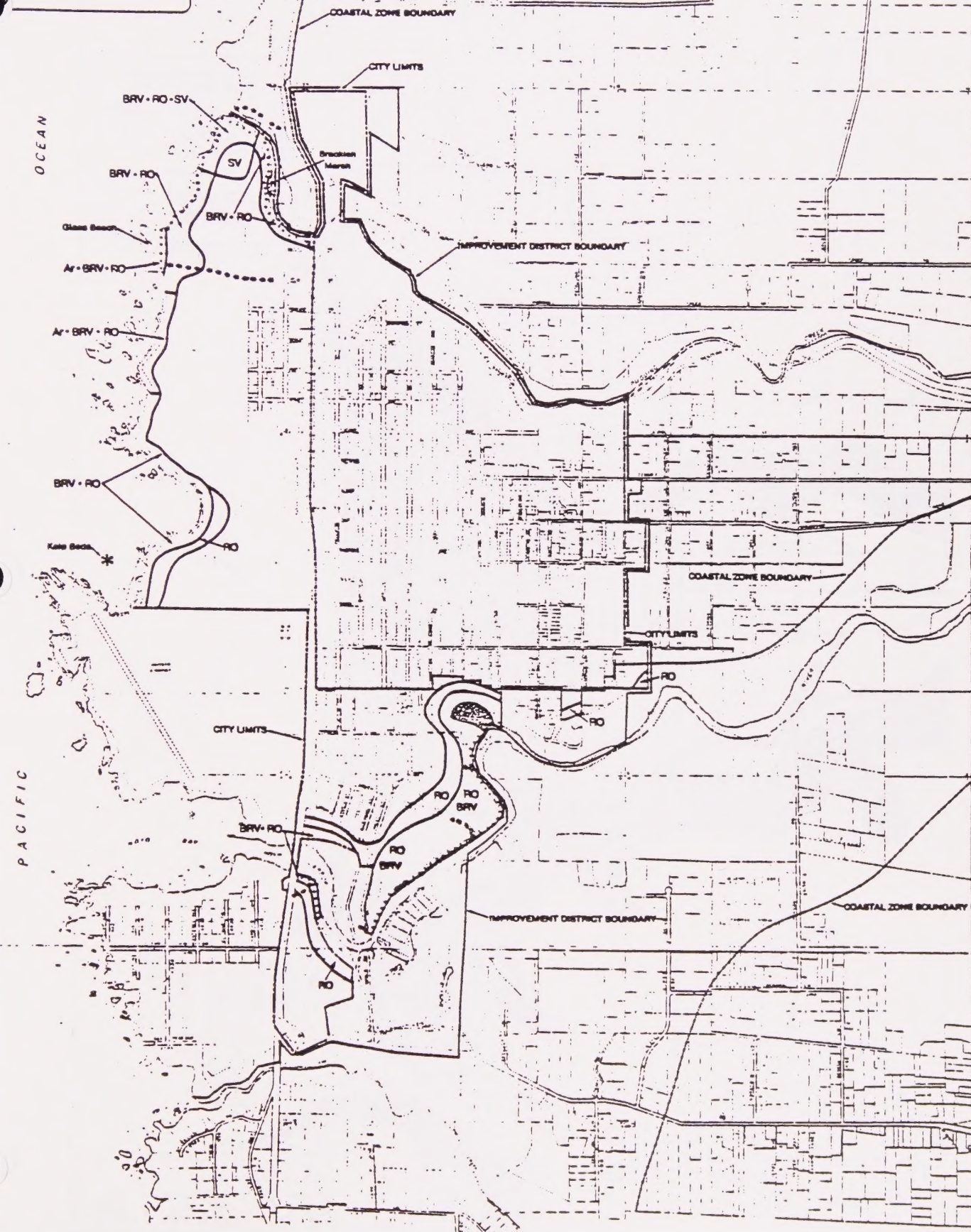
- WETLAND
- URBAN AREA
- VERTICAL ACCESS
- LATERAL ACCESS

SPECIAL REVIEW AREAS:

- AR ARCHAEOLOGY
- BRV BLUFF/EROSION VEGETATION
- SV SPECIAL VEGETATION
- RO RUNOFF

OCEAN

PACIFIC



TITLE

COASTAL
ENVIRONMENT

CITY OF FORT BRAGG
LOCAL COASTAL PROGRAM
PREPARED FOR THE
CALIFORNIA COASTAL COMMISSION

FIGURE 2

97



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SCALE IN FEET








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APRIL 28,
1988

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ENVIRONMENTAL CONSTRAINTS

-  FLOOD PLAIN (100 YEAR FLOOD)
-  STEEP SLOPE (2-50% SLOPE)
-  FIRE HAZARD AREA
-  NOISE SENSITIVE AREA
-  65 dB NOISE CONTOUR (CURRENT, ESTIMATED)
-  65 dB NOISE CONTOUR (1995, PROJECTED)
-  TIMBER PRESERVE ZONE

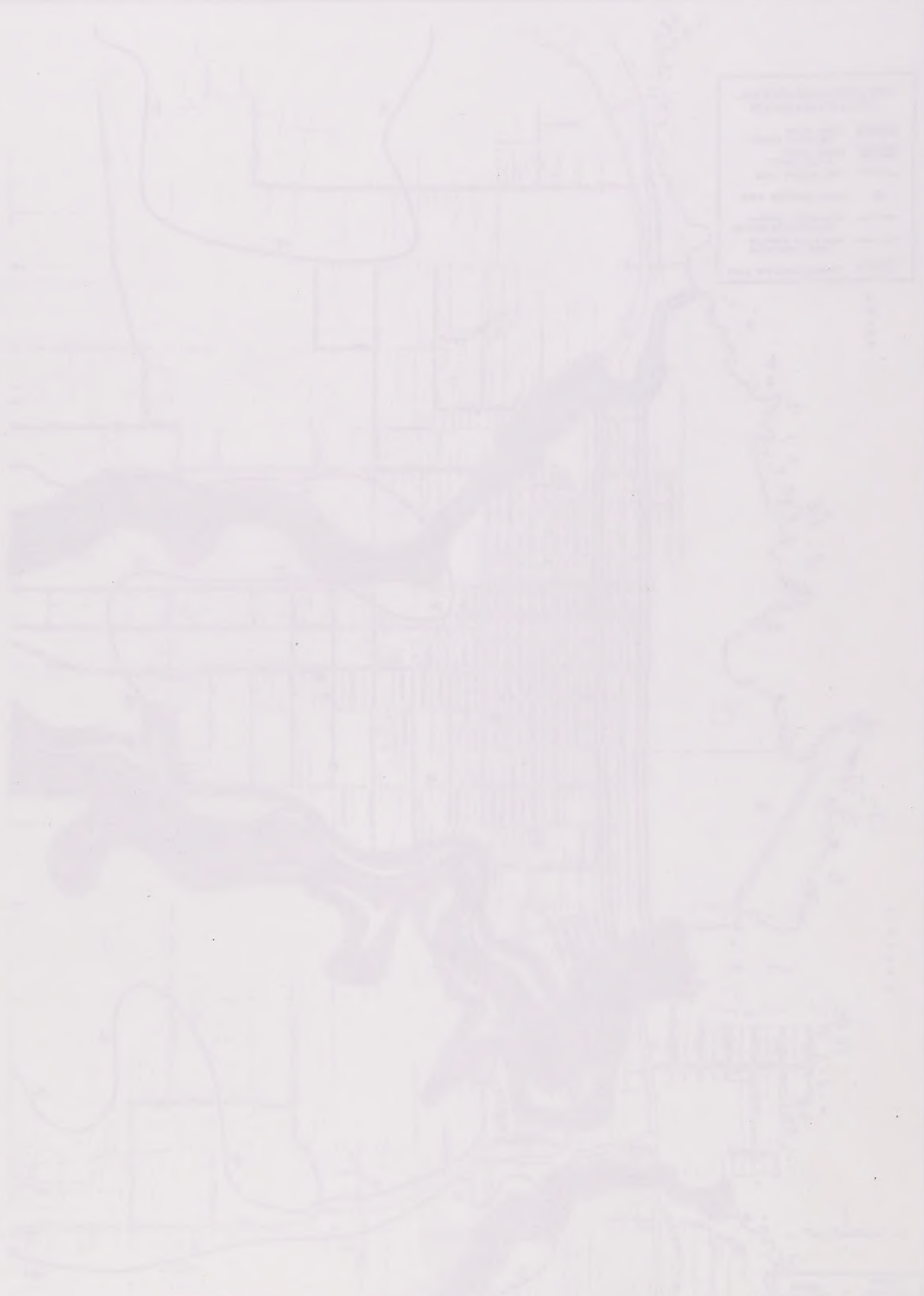
OCEAN

PACIFIC

ROBERT
WILLIAMS
ASSOCIATES

MOORE
RESEARCH

(07/92)



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